



## Instructions for Petition for Alien Workers

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

USCIS  
**Form I-140**  
OMB No. 1615-0015  
Expires 03/31/2024

### What is the Purpose of Form I-140?

A petitioner may file Form I-140, Petition for Alien Workers, with U.S. Citizenship and Immigration Services (USCIS) for an employment-based immigrant visa.

### Who May File Form I-140?

A U.S. employer may file this petition for:

1. An outstanding professor or researcher with at least three years of experience in teaching or research in the academic area, who is recognized internationally as outstanding:
  - A. In a tenured or tenure-track position at a university or institution of higher education to teach in the academic area;
  - B. In a comparable position at a university or institution of higher education to conduct research in the area; or
  - C. In a comparable position to conduct research for a private employer that employs at least three persons in full-time research activities and which achieved documented accomplishments in an academic field.
2. An alien who, in the three years before filing this petition, has been employed in a primarily managerial or executive capacity for at least one year by a firm or corporation or other legal entity and who seeks to enter the United States to continue working for the same employer, or a subsidiary or affiliate, in a managerial or executive capacity.
3. A member of the professions holding an advanced degree or an alien with exceptional ability in the sciences, arts, or business who will substantially benefit the national economy, cultural or educational interests, or welfare of the United States.
4. A skilled worker (requiring at least two years of specialized training or experience in the skill) to perform labor for which qualified workers are not available in the United States.
5. A member of the professions with a baccalaureate degree.
6. An unskilled worker (requiring less than two years of specialized training or experience) to perform labor for which qualified workers are not available in the United States.

In addition, any employer, individual, or third party may file this petition, including the petition's beneficiary, if filing for:

1. An alien of extraordinary ability in the sciences, arts, education, business, or athletics demonstrated by sustained national or international acclaim and whose achievements are recognized in the field; or
2. A member of the professions holding an advanced degree or who is claiming exceptional ability in the sciences, arts, or business, and is seeking an exemption of the requirement of a job offer in the national interest, generally known as a National Interest Waiver (NIW).

### General Instructions

USCIS provides forms free of charge through the USCIS website. 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**.

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**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.

**NOTE:** If the petitioner is a corporation or other legal entity, only an individual who is an officer or employee of the entity who has knowledge of the facts alleged in the petition, and who has authority to sign documents on behalf of the entity, may sign the petition.

**Validity of Signatures.** USCIS will consider a photocopied, faxed, or scanned copy of the original, handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten, ink signature.

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

**Evidence.** At the time of filing, you must submit all evidence and supporting documentation listed in the **General Requirements** and **General Evidence** sections of these Instructions.

**Biometric Services Appointment.** USCIS may require that the you appear for an interview or provide biometrics (for example, 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 application or 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. 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 or, if your 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 you are required to provide biometrics, at the appointment you must sign an oath reaffirming that:

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

If you fail to attend the biometric services appointment, USCIS may deny your petition.

**Copies.** You should 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 or petition. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

**NOTE:** If you submit original documents when not required or requested by USCIS, **your original documents may be immediately destroyed after we receive them.**

**Translations.** If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. The certification must include the translator's signature. The Department of Homeland Security (DHS) recommends the certification contain the translator's printed name, the signature date, and the translator's contact information.

## How to Fill Out Form I-140

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 11. 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.

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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.
4. **USCIS Online Account Number** (if any). If you have previously filed an application or petition using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications or petitions on a paper form through a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. You may find your USCIS Online Account Number at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.
5. **Instructions for Industry and Occupation Codes**
- A. **NAICS Code.** You can obtain the North American Industry Classification System (NAICS) code from the U.S. Department of Commerce, U.S. Census Bureau at [www.census.gov/epcd/www/naics.html](http://www.census.gov/epcd/www/naics.html). Type or print the code from left to right, entering one digit in each of the six boxes. If you use a code that is less than six digits, type or print the code left to right and then add zeros in the remaining unoccupied boxes. For example:
- (1) Type or print the code sequence 33466 as **334660**; or
- (2) Type or print the code sequence 5133 as **513300**.
- B. **SOC Code.** You can obtain the Standard Occupational Classification (SOC) System codes from DOL, Bureau of Labor Statistics at [www.bls.gov/soc](http://www.bls.gov/soc). Type or print the code from left to right, entering one digit in each of the six boxes. If you use a code which is less than six digits, type or print the code left to right and then add zeros in the remaining unoccupied boxes. For example:
- (1) Type or print the code sequence 19-1021 as **19-1021**; or
- (2) Type or print the code sequence 15-100 as **15-1000**.
6. **Part 8. Statement, Contact Information, Declaration, Certification, and Signature of the Petitioner or Authorized Signatory.** Select the appropriate box to indicate whether you read this petition yourself or whether you had an interpreter assist you. If someone assisted you in completing the petition, select the box indicating that you used a preparer. Further, you or an authorized signatory must sign and date your petition and provide the authorized signatory's full name, title, daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition **MUST** contain the signature of the petitioner or authorized signatory. A stamped or typewritten name in place of a signature is not acceptable.
7. **Part 9. Interpreter's Contact Information, Certification, and Signature.** 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, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the petition.

- 8. Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner.** This section must contain the signature of the person who completed your petition, if other than you, the petitioner or authorized signatory. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 9.** and **Part 10.** 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 complete this petition **MUST** sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your petition is an attorney or accredited representative, he or she may also need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney 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.

**We recommend that you print or save a copy of your completed petition to review in the future and for your records.**

## **General Requirements**

### ***Initial Evidence***

- 1. If you are filing for an alien of extraordinary ability in the sciences, arts, education, business, or athletics (Part 2., Item Number 1.a. on Form I-140):**
- You must include evidence showing the alien has sustained national or international acclaim and the achievements are recognized in the field of expertise.
- A.** Evidence of a one-time achievement (for example, a major internationally recognized award); or
  - B.** At least three of the following:
    - (1)** Receipt of lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor;
    - (2)** Membership in associations in the field, which require outstanding achievements as judged by recognized national or international experts;
    - (3)** Published material about the alien in professional or major trade publications or other major media;
    - (4)** Participation on a panel or individually as a judge of others' work in the field or a related field;
    - (5)** Original scientific, scholarly, artistic, athletic, or business-related contributions of major significance in the field;
    - (6)** Authorship of scholarly articles in the field in professional or major trade publications or other major media;
    - (7)** Display of the alien's work at artistic exhibitions or showcases;
    - (8)** Evidence that the alien has performed in a leading or critical role for organizations or establishments that have distinguished reputations;
    - (9)** Evidence that the alien has commanded a high salary or other high compensation for services; and
    - (10)** Evidence of commercial successes in the performing arts as shown by box office receipts or music or video sales.
  - C.** If the above standards do not readily apply to the alien's occupation, you may submit comparable evidence to establish the alien's eligibility; and

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- D. Evidence the alien is coming to the United States to continue work in the area of expertise. Such evidence may include letters from prospective employers, evidence of prearranged commitments such as contracts, or a statement from the alien detailing plans on how he or she intends to continue work in the United States.

**2. A U.S. employer filing for an outstanding professor or researcher (Part 2., Item Number 1.b. on Form I-140) must file the petition with:**

- A. Evidence the professor or researcher is recognized internationally as outstanding in the academic field specified in the petition. Such evidence shall consist of at least two of the following:
- (1) Receipt of major prizes or awards for outstanding achievement in the academic field;
  - (2) Membership in associations in the academic field that require outstanding achievements of their members;
  - (3) Published material in professional publications written by others about the alien's work in the academic field;
  - (4) Participation on a panel or individually as the judge of others work in the same or an related academic field;
  - (5) Original scientific or scholarly research contributions to the academic field; or
  - (6) Authorship of scholarly books or articles in scholarly journals with international circulation in the academic field.
- B. If the above standards do not readily apply, you may submit comparable evidence to establish the alien's eligibility; and
- C. Evidence the alien has at least three years of experience in teaching and/or research in the academic field; and
- D. If you are a university or other institution of higher education, an offer of employment in the form of a letter indicating that you intend to employ the alien in a tenured or tenure-track position as a teacher or in a permanent position as a researcher in the academic field; or
- E. If you are a private employer:
- (1) An offer of employment in the form of a letter indicating you intend to employ the alien in a permanent research position in the academic field;
  - (2) Evidence you employ at least three full-time researchers; and
  - (3) Evidence you have achieved documented accomplishments in the field.

**3. A U.S. employer filing for a multinational executive or manager (Part 2., Item Number 1.c. on Form I-140) must file the petition with a statement demonstrating:**

- A. If the worker is now employed outside the United States, he or she has been employed outside the United States for at least one year in the past three years in an executive or managerial capacity by the petitioner or by its parent, branch, subsidiary, or affiliate; or
- B. If the worker is already employed in the United States, he or she was employed outside the United States for at least one year in the three years preceding admission as a nonimmigrant in an executive or managerial capacity by the petitioner or by its parent branch, subsidiary, or affiliate; and
- C. The prospective employer in the United States is the same firm, corporation, or other legal entity, or a subsidiary or affiliate, that employed the alien abroad;
- D. The prospective U.S. employer has been doing business for at least one year; and
- E. The alien will work in the United States in a managerial or executive capacity. You should include a description of the duties he or she will perform.

**4. A U.S. employer (or any individual, employer, or third party requesting an NIW) filing for a member of the professions with an advanced degree or an alien with exceptional ability in the sciences, arts, or business (Part 2., Item Number 1.d. on Form I-140 for a petition filed by an employer with a Schedule A or individual labor certification, or Part 2., Item Number 1.h. on Form I-140 for a petition requesting an NIW) must include:**

**A.** A labor certification (see **Item 1.** in the **General Evidence** section of these Instructions), or a request for a job offer waiver because the employment is deemed in the national interest, with documentation provided showing the alien's presence in the United States is in the national interest, and:

- (1)** An official academic record showing the alien has a U.S. advanced degree or an equivalent foreign degree, or an official academic record showing the alien has a U.S. baccalaureate degree or an equivalent foreign degree and letters from current or former employers showing the alien has at least five years of progressive post-baccalaureate experience in the specialty; or
- (2)** At least three of the following:
  - (a)** An official academic record showing the alien has a degree, diploma, certificate, or similar award from an institution of learning relating to the area of exceptional ability;
  - (b)** Letters from current or former employers showing the alien has at least 10 years of full-time experience in a particular occupation;
  - (c)** A license to practice the profession or certification for a particular profession or occupation;
  - (d)** Evidence that the alien has commanded a salary or other compensation for services demonstrating exceptional ability;
  - (e)** Evidence of membership in professional associations; or
  - (f)** Evidence of recognition for achievements and significant contributions to the industry or field by peers, governmental entities, or professional or business organizations.
- (3)** If the above standards do not readily apply to the alien's occupation, you may submit comparable evidence to establish the alien's eligibility.

**5. A U.S. employer filing for a professional (Part 2., Item Number 1.e. on Form I-140) must include:**

- A.** A labor certification (see **Item 1.** in the **General Evidence** section of these Instructions);
- B.** Evidence that the alien holds a U.S. baccalaureate degree or equivalent foreign degree; and
- C.** Evidence that a baccalaureate degree is required for entry into the occupation.

**6. A U.S. employer filing for a skilled worker (Part 2., Item Number 1.f. on Form I-140) must include:**

- A.** A labor certification (see **Item 1.** in **General Evidence** section of these Instructions); and
- B.** Evidence the alien meets the educational, training, or experience requirements and any other requirements of the labor certification. (The minimum requirement is two years of training or experience).

**7. A U.S. employer filing for an unskilled worker (Part 2., Item Number 1.g. on Form I-140) must include:**

- A.** A labor certification (see **Item 1.** in the **General Evidence** section of these Instructions); and
- B.** Evidence that the alien meets any education, training, or experience requirements of the labor certification.

### ***Amended Petitions***

If you are filing this petition to amend a previously filed Form I-140, select **Part 2., Item Number 2.a.** and provide the receipt number of the previously filed Form I-140 in the space provided. This information will assist USCIS in determining whether we may accept the petition and provide the location of the previously filed petition for case matching purposes.



## ***Information About the Spouse and All Children of the Alien for Whom You Are Filing***

Form I-140 requires information about the dependent spouse and children of the alien (petition's beneficiary) in **Part 7. Information About the Spouse and All Children of the Alien for Whom You Are Filing**. This information will assist in visa processing and help USCIS better determine the demand for employment-based immigrant visas at the time of filing Form I-140.

**NOTE:** An annotation of a dependent's intention to either apply for adjustment of status or an immigrant visa abroad in **Part 7.** of Form I-140 is not binding, but should reflect the dependent's intent at the time of filing of Form I-140.

## ***IRS Tax or Social Security Numbers***

With the exception of the categories for aliens of extraordinary ability (**Part 2., Item Number 1.a.** on Form I-140) and NIW (**Part 2., Item Number 1.h.** on Form I-140), all Form I-140 visa preference categories require a permanent job offer from a U.S. employer and the U.S. employer must file Form I-140.

**NOTE:** All U.S. employers filing petitions with a required permanent job offer must have and provide an IRS Employer Identification Number or a Social Security Number in **Part 1.** of Form I-140. If you do not provide this information, USCIS will reject your Form I-140 with a notice that it is deficient.

## **General Evidence**

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.

### **1. Labor Certification**

You must file petitions for certain classifications with an original, individual labor certification from the U.S. Department of Labor (DOL) or with documentation to establish that the alien qualifies for one of the shortage occupations designated in Group I or II of DOL's Schedule A. If an individual labor certification is required, you must submit the **original**, individual labor certification with your Form I-140, unless the original labor certification was already provided to USCIS in support of a different petition. As an alternative, you may select "Yes" for in **Part 4., Item Number 10.** and ask USCIS to request a duplicate of the original certification from DOL.

A labor certification establishes there are insufficient U.S. workers able, willing, qualified, and available to fill the position offered to the alien at the time when and place where the alien will work. It also establishes the alien's employment, if qualified, will not adversely affect the wages and working conditions of similarly employed U.S. workers. Application for labor certification is currently made on Form ETA-9089. Labor certification applications filed before March 28, 2005, were filed on Form ETA-750. If the alien is in a Schedule A, Group I or II shortage occupation, you may file a fully completed, uncertified Form ETA-9089 with your Form I-140 for USCIS to determine if the alien's occupation belongs to the shortage occupation.

See 20 CFR 656 or the DOL website at [www.foreignlaborcert.doleta.gov](http://www.foreignlaborcert.doleta.gov) for further information about obtaining an individual labor certification or about Schedule A, Group I or II shortage occupations.

Effective July 16, 2007, all labor certifications expire 180 days from the date of certification. USCIS must receive any Form I-140 based on approved labor certifications before the 180 day validity period has elapsed. In instances where the ending date of the labor certification's validity period expires on a Saturday, Sunday, or legal holiday, USCIS will accept petitions with the labor certification on the next business day. USCIS will reject petitions with expired labor certifications filed after the next business day.

## 2. Ability to Pay Wage

You must submit evidence with petitions requiring job offers that the prospective U.S. employer has the ability to pay the offered wage. You may provide evidence in the form of copies of annual reports, Federal tax returns, or audited financial statements. If the prospective U.S. employer employs 100 or more workers, you may submit a statement from the organization's financial officer establishing their ability to pay the wage. In certain circumstances, you may submit additional evidence, such as profit/loss statements, bank account records, or personnel records.

**NOTE:** The U.S. employer must show the ability to pay the offered wage from the date of filing the labor certification until the alien becomes a lawful permanent resident. If no labor certification is required with the petition, the U.S. employer must show the ability to pay the offered wage from the date of filing Form I-140 (priority date) until the alien becomes a lawful permanent resident.

## 3. Form I-94, Arrival-Departure Record

If the alien is in the United States, provide the requested information in **Part 3., Item Numbers 10. - 15.** of Form I-140, as applicable. If U.S. Customs and Border Protection (CBP) or USCIS issued the alien a Form I-94, provide his or her Form I-94 number and date his or her 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 you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, CBP may have issued the alien an electronic Form I-94 instead of a paper Form I-94. You may visit the CBP website at [www.cbp.gov/i94](http://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 website without charge. If your Form I-94 cannot be obtained from the CBP website, 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 you used a passport or travel document to travel to the United States, enter either the passport or travel document information in the appropriate space on the petition, even if the passport or travel document is currently expired.

## What Is the Filing Fee?

The filing fee for Form I-140 is **\$700**.

**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 amounts.

**Use the following guidelines when you prepare your check or money order for the Form I-140 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 Paying by Check.** If you send USCIS a check, we 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 your check is returned as unpayable, we will re-submit the payment to the financial institution one time. If the check is returned as unpayable a second time, we will reject your petition and charge you a returned check fee.

### How To Check If the Fees Are Correct

Form I-140's 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 the fee is correct by following one of the steps below.

1. Visit the USCIS website at [www.uscis.gov](http://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**.

### Where To File?

Please see our website at [www.uscis.gov/I-140](http://www.uscis.gov/I-140) or visit the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to connect with a USCIS representative for the most current information about where to file this petition. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

### Premium Processing

Certain Form I-140 classifications are eligible for Premium Processing. To determine if your petition is eligible for Premium Processing, visit the USCIS website at [www.uscis.gov/forms/how-do-i-use-premium-processing-service](http://www.uscis.gov/forms/how-do-i-use-premium-processing-service). If your Form I-140 is eligible for and you are requesting Premium Processing Services, you **must** also file Form I-907, Request for Premium Processing Service with the applicable fee. For more information about Premiums Processing, please see our website at [www.uscis.gov/I-907](http://www.uscis.gov/I-907) or call the USCIS Contact Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

**NOTE:** Do **NOT** send requests for Premium Processing to a USCIS Lockbox facility.

### Premium Processing Service for a Pending Form I-140

To determine if your requested classification or category is available for Premium Processing, please visit the USCIS website at [www.uscis.gov/forms/how-do-i-use-premium-processing-service](http://www.uscis.gov/forms/how-do-i-use-premium-processing-service). If you are requesting Premium Processing Services, you **must** also file [Form I-907, Request for Premium Processing Service](#), with the filing fee.

### Address Change

A petitioner who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address, go to the USCIS website at [www.uscis.gov/addresschange](http://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 the USCIS Lockbox facilities because the Lockbox does not process change of address requests.

## Processing Information

**USCIS will reject any Form I-140 that is not signed or accompanied by the correct fee with a notice that Form I-140 is deficient.** You may correct the deficiency and resubmit Form I-140. A petition is not considered properly filed until accepted by USCIS.

**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.** USCIS 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. If we request an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

**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 biometrics to verify your identity and/or update background and security checks.

**Decision.** The decision on Form I-140 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.

**Meaning of Petition Approval.** Approval of a petition means you have established the alien is eligible for the requested classification.

**NOTE:** Petition approval is the first step towards permanent residence. However, approval does not in itself grant permanent residence or employment authorization. USCIS will provide you with information about the requirements for the alien to receive an immigrant visa or adjust status after Form I-140 is approved.

## USCIS Forms and Information

To ensure you are using the latest version of this petition, visit the USCIS website at [www.uscis.gov](http://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 the USCIS Contact Center at **1-800-375-5283**. The USCIS Contact Center provides information in English and Spanish. 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 schedule an appointment online at [www.uscis.gov](http://www.uscis.gov). Select "Make an Appointment" and follow the screen prompts to set up your appointment. Once you finish scheduling an appointment, the system will generate an appointment notice for you.

## Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-140, we will deny your Form I-140 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 are complete, true, and correct. You also authorize the release of any information from your records that USCIS may need to determine your eligibility for the immigration benefit you are seeking and consent to USCIS verifying such information.

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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 through 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.

### DHS Privacy Notice

**AUTHORITIES:** The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act (INA) sections 203(b)(1), 203(b)(2) or 203(b)(3), and 8 U.S.C. sections 1153(b)(1), (b)(2), and (b)(3).

**PURPOSE:** The primary purpose for providing the requested information on this form is to petition for an immigrant visa based on employment. DHS uses the information you provide to grant or deny the benefit you are seeking.

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

**ROUTINE USES:** DHS may share the information you provide on this form 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/ICE/CBP-001 - Alien File, Index, and National File Tracking System and DHS/USCIS-007 - Benefits Information System] and published privacy impact assessment [DHS/USCIS/PIA-003 Integrated Digitization Document Management Program, DHS/USCIS/PIA-016a DHS/USCIS/PIA-016 Computer Linked Application Information Management System and Associated Systems, and DHS/USCIS/PIA-044 Validation Instrument for Business Enterprises], which you can find at [www.dhs.gov/privacy](http://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 Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 5 minutes 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. 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, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0015. **Do not mail your completed Form I-140 to this address.**