Instructions for Petition for Amerasian, Widow(er), or Special Immigrant

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

USCIS
Form I-360
OMB No. 1615-0020
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What Is the Purpose of Form I-360?

This petition is used to classify an alien as:

1. An Amerasian;

2. A Widow or Widower of a U.S. citizen;

3. Special immigrants are defined below. These special immigrants may also use this form for EB-4 Fourth Preference:

- **A.** Special Immigrant Juvenile;
- **B.** Religious Worker;
- **C.** Panama Canal Company Employee, Canal Zone Government Employee, U.S. Government in the Canal Zone Employee;
- **D.** Physician;
- **E.** G-4 International Organization Employee or Family Member or NATO-6 Employee or Family Member;
- **F.** U.S. Armed Forces Member;
- **G.** Afghanistan or Iraq National who worked with the U.S. Armed Forces as a translator;
- **H.** Iraq National who worked for or on behalf of the U.S. Government in Iraq;
- **I.** Afghanistan National who worked for or on behalf of the U.S. Government or the International Security Assistance Force (ISAF) in Afghanistan;
- **J.** An abused spouse or child of a U.S. citizen or lawful permanent resident, or an abused parent of a U.S. citizen son or daughter pursuant to the Violence Against Women Act (VAWA);
- **K.** Broadcasters; or
- **L.** Other classifications not listed above may be eligible to use Form I-360. Please check **www.uscis.gov/i-360** for updates.

Who May File Form I-360?

Amerasian

If you are 18 years of age or older, you may file this petition for a beneficiary (including yourself) who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen. A U.S. corporation may also file this petition for a beneficiary.

You **must** file the petition with:

1. Copies of evidence showing that the beneficiary was born in one of the above countries between those dates. If the beneficiary was born in Vietnam, you **must** also submit a copy of his or her Vietnamese identification card, or an affidavit explaining why it is not available;

2. Copies of evidence establishing the parentage of the beneficiary, and that the beneficiary's biological father was a U.S. citizen. Examples of documents that you may submit are: birth or baptismal records or other religious documents; local civil records; an affidavit, correspondence, or evidence of financial support from the father; photographs of the father (especially with the child); or, absent other documents, affidavits from knowledgeable witnesses that detail the parentage of the child and how they know such facts;
3. Photograph of the beneficiary; and
4. If the beneficiary is married, a copy of the marriage certificate and proof of the termination of any prior marriages.

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

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

Widow or Widower of a U.S. Citizen

You may file this petition for yourself if:

1. You were married to a U.S. citizen who is now deceased and who was a U.S. citizen at the time of death;
2. Your U.S. citizen spouse died less than two years before the date on which you filed this petition;
3. You were not legally separated from your U.S. citizen spouse at the time of his or her death; and
4. You have not remarried.

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

You **must** file the petition with:

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

Special Immigrant Juvenile

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

1. Is present in the United States;
2. Is unmarried and less than 21 years of age;
3. Has been declared dependent upon a juvenile court in the United States, or who such a court has legally committed to or placed under the custody of an agency or department of a state, or an individual or entity appointed by a state or juvenile court;

4. Has been the subject of a determination by a juvenile court in the United States that reunification with one or both of the juvenile's parents is not viable due to abuse, neglect, abandonment, or a similar basis under state law; and
5. Has been the subject of administrative or judicial proceedings that determined that it would not be in the juvenile's best interest to be returned to the juvenile's or his or her parent's country of citizenship or nationality or last habitual residence.

The petition **must** be filed with:

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

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

Special Immigrant Religious Worker

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

1. Solely as a minister of that religious denomination;
2. In a religious vocation either in a professional or non-professional capacity; or
3. In a religious occupation either in a professional or non-professional capacity.

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

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

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

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

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

1. A currently valid determination letter from the Internal Revenue Service (IRS) establishing that the organization is a tax exempt organization;
2. For a religious organization that is recognized as tax exempt under a group tax exemption, a currently valid determination letter from the IRS establishing that the group is tax-exempt;
3. For a bona fide organization that is affiliated with the religious denomination, if the organization was granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code of 1986, or subsequent amendment or equivalent sections of prior enactments of the Internal Revenue Code, as something other than a religious organization, including:

A. A currently valid determination letter from the IRS establishing that the organization is a tax-exempt organization;

B. Documentation that establishes the religious nature and purpose of the organization, such as a copy of the organizing instrument that specifies the purposes of the organization;

C. Organizational literature, such as books, articles, brochures, calendars, flyers, and other literature describing the religious purpose and nature of the activities of the organization; and

D. A religious Denomination Certification (part of Form I-360) completed, signed, and dated by the religious organization certifying that the petitioning organization is affiliated with the religious denomination;

4. An employer Attestation (part of Form I-360) and certification completed, signed, and dated by an authorized official of the prospective employer of the beneficiary seeking religious worker status;

5. Verifiable evidence of how the prospective employer intends to compensate the beneficiary, including salaried or non-salaried compensation;

6. Evidence that the beneficiary has been a member of the religious denomination during at least the two years immediately preceding the petition;

7. Evidence to establish that the beneficiary has been working continuously, after turning 14 years of age, in one of the positions listed above, either abroad or in the United States, for at least the two years immediately preceding the petition; and

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

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

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

1. A resident in the Canal Zone and had been employed by the Panama Canal Company or Canal Zone Government for at least one year;

2. A Panamanian national and either honorably retired from U.S. Government employment in the Canal Zone with a total of 15 or more years of faithful service; or

3. Employed for 15 years and honorably retired or was an employee of the Panama Canal Company or Canal Zone Government, had performed faithful service for 5 years or more as an employee, and whose personal safety, or the personal safety of his or her spouse or child, is in danger as a direct result of the special nature of his or her employment and as a direct result of the Treaty.

You **must** file the petition with:

1. A letter from the Panama Canal Company, Canal Zone Government, or U.S. Government agency employing the beneficiary in the Canal Zone, indicating the length and circumstances of employment and any retirement or termination; and

2. Copies of evidence to establish any claim of danger to personal safety.

Special Immigrant Physician

You may file this petition for a beneficiary who:

1. Graduated from a medical school or is qualified to practice medicine in a foreign state;

2. Was fully and permanently licensed to practice medicine in the United States on January 9, 1978, and was practicing medicine in a U.S. state on that date;

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

You **must** file the petition with:

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

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

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

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

Armed Forces Member

You may file this petition for yourself if:

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

You **must** file the petition with:

1. Certified proof, issued by the authorizing official of the executive department in which you are serving or have served, that you have the required honorable active duty service and/or commitment; and
2. Your birth certificate.

VAWA Self-Petitioning Spouse or Child of a U.S. Citizen or Lawful Permanent Resident or a VAWA Self-Petitioning Parent of U.S. Citizen Son or Daughter

Alternate and/or Safe Address. If you do not feel safe in receiving correspondence regarding this petition at your home address, provide an alternate and/or safe mailing address in **Part 1.**, **Item Number 7.** This address may be a post office box, the address of a friend, your attorney, a community-based organization that is helping you, or any other address where you can safely and punctually receive mail. If an alternate and/or safe mailing address is not provided in **Part 1.**, **Item Number 7.**, USCIS may use the address of your preparer, if any.

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

1. The abuser is an employee of the U.S. Government;

2. The abuser is a member of the uniformed services; or

3. You were subjected to battery or extreme cruelty in the United States.

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

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

- **A.** Are now or were the spouse of an abusive U.S. citizen or lawful permanent resident;
- **B.** Are the child of an abusive U.S. citizen or lawful permanent resident; or
- **C.** Are the parent of an abusive U.S. citizen son or daughter who is at least 21 years of age when filing this petition;

2. Are eligible for immigrant classification based on that relationship;

3. Are now residing with or have resided with the U.S. citizen or lawful permanent resident abuser in the past;

4. Have been battered by or have been the subject of extreme cruelty perpetrated by:

- **A.** Your U.S. citizen or lawful permanent resident spouse during the marriage, or you are the parent of a child who has been battered by or has been the subject of extreme cruelty perpetrated by your abusive U.S. citizen or lawful permanent resident spouse during your marriage;
- **B.** Your U.S. citizen or lawful permanent resident parent while residing with that parent; or
- **C.** Your U.S. citizen son or daughter;

5. Are a person of good moral character; and

6. Are a spouse, and entered into the marriage to the U.S. citizen or lawful permanent resident abuser in good faith.

NOTE: You may file a self-petition within two years of the date of the U.S. citizen abuser's death, within two years of the U.S. citizen or lawful permanent resident abuser's loss of status as a result of an incident of domestic violence, or within two years of the termination of the marriage to the U.S. citizen or lawful permanent resident abuser if there is a connection between the termination of the marriage and the battery or extreme cruelty. For self-petitioning spouses, you may remarry after USCIS approves your self-petition without affecting your eligibility to become a lawful permanent resident or have grounds for revocation of the approved self-petition.

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

1. Evidence of the abuser's U.S. citizenship or lawful permanent resident status;

2. Marriage and divorce decrees, birth certificates, or other evidence of your legal relationship to the abuser;

3. One or more documents showing that you and the abuser have resided together, such as employment records, utility receipts, school records, hospital or medical records, birth certificates of children, mortgages, rental records, insurance policies, or affidavits;
4. Evidence of the abuse, such as reports and affidavits from police, judges and other court officials, medical personnel, school officials, clergy, social workers, and other social service agency personnel. If you have an order of protection, or have taken other legal steps to end the abuse, you should submit copies of those court documents;
5. If you are 14 years of age or older, your affidavit of good moral character accompanied by a local police clearance, state-issued criminal background check, or similar report from each locality or state in the United States or abroad where you have resided for six or more months during the 3-year period immediately before the filing of your self-petition; and
6. If you are a spouse, submit evidence showing your marriage was entered in good faith, such as proof that one spouse has been listed as the other's spouse on insurance policies, property leases, properly filed tax forms, or bank statements. You may also submit your affidavit or affidavits of others who have knowledge of your courtship, wedding ceremony, shared residence, and other life experiences, if available.

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

Public Service Information

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

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

Employment Authorization. If USCIS approves your self-petition and you currently reside in the United States, you will also receive employment authorization. USCIS will issue your Employment Authorization Document (EAD) with eligibility category (c)(31). Select "Yes" if you want USCIS to send you a (c)(31) EAD as evidence of that authorization. Select "No" if you wish to request employment authorization separate from this self-petition (for example, an EAD with eligibility category (c)(14) based on deferred action).

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

You may file this petition for yourself if:

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

The petition **must** be filed with:

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

3. Evidence you worked directly with the U.S. Armed Forces or under Chief of Mission authority, as a translator or interpreter for a period of at least 12 months; and
4. Evidence that you cleared a background check and screening as determined by the Chief of Mission or a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported.

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

You may file this petition for yourself if:

1. You are a national of Iraq;
2. You have established to the satisfaction of the Chief of Mission, Embassy Baghdad, or the designee of the Chief of Mission, that you were or are employed by or on behalf of the U.S. Government in Iraq between March 20, 2003 and September 30, 2013, for a period of at least one year;
3. You have established to the satisfaction of the Chief of Mission, or the designee of the Chief of Mission, that you provided faithful and valuable service to the U.S. Government. Your senior supervisor **must** submit a recommendation to the U.S. Government or, if your senior supervisor has left the employer or left Iraq, either the person who is currently occupying that position or someone in a more senior position with the employing entity;
4. You have established to the satisfaction of the Chief of Mission, or the designee of the Chief of Mission, that you have experienced or are experiencing an ongoing serious threat as a consequence of being employed by or on behalf of the U.S. Government;
5. You have or will have cleared a background check and appropriate screening as determined by the Secretary of Homeland Security; and
6. You are otherwise eligible to receive an immigrant visa and are admissible to the United States for permanent residence, excluding the grounds of inadmissibility specified in section 212(a)(4) of the Immigration and Nationality Act (INA).

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

You **must** file the petition with:

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

Afghan National Who Was Employed by or on Behalf of the U.S. Government or the International Security Assistance Force (ISAF) in Afghanistan

You may file this petition for yourself if:

1. You are a national of Afghanistan;
2. You have established to the satisfaction of the Chief of Mission, Embassy Kabul, or the designee of the Chief of Mission that you were employed by or on behalf of the U.S. Government or ISAF in Afghanistan between October 7, 2001 and September 30, 2015, for a period not less than one year;
3. You have provided faithful and valuable service to the U.S. Government or ISAF. Your senior supervisor **must** submit a recommendation to the U.S. Government or, if your senior supervisor has left the employer or left Afghanistan, either the person who is currently occupying that position or someone in a more senior position with the employing entity;
4. You have experienced or are experiencing an ongoing serious threat as a consequence of being employed by or on behalf of the U.S. Government or ISAF;
5. You have or will have cleared a background check and appropriate screening as determined by the Secretary of Homeland Security; and
6. You are otherwise eligible to receive an immigrant visa and are admissible to the United States for permanent residence, excluding the grounds of inadmissibility specified in INA section 212(a)(4) (8 U.S.C. 1182(a)(4)).

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

You **must** file the petition with:

1. A copy of your passport, birth certificate, or national identification card showing that you are a national of Afghanistan. If the document is in a foreign language, you **must** provide a certified English translation;
2. A positive recommendation from your senior supervisor or the person currently occupying that position, or a more senior person if your senior supervisor has left the employer or has left Afghanistan, confirming employment of at least one year between October 7, 2001 and September 30, 2015;
3. Approval of your submission of this petition from the appropriate Chief of Mission or the designee of the Chief of Mission;
4. Proof of risk assessment conducted by the Chief of Mission or the designee of the Chief of Mission;
5. Proof of independent review conducted by the Chief of Mission or the designee of the Chief of Mission of records maintained by the U.S. Government or ISAF, hiring organization, or entity to confirm employment and faithful and valuable service to the U.S. Government or ISAF; and
6. A copy of the front and back of your Form I-94 Arrival-Departure Record, if you are physically present in the United States.

Broadcasters

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

1. **BBG grantee** means Radio Free Asia, Inc. (RFA), Radio Free Europe/Radio Liberty, Inc. (RFE/RL), or the Middle East Broadcasting Network (MBN); and

2. **Broadcaster** means a reporter, writer, translator, editor, producer, or announcer for news broadcasts; hosts for news broadcasts, news analysis, editorial and other broadcast features; or a news analysis specialist. The term broadcaster does not include individuals performing purely technical or support services for the BBG or a BBG grantee.

All Form I-360 petitions submitted by the BBG or a BBG grantee on behalf of a beneficiary for a broadcaster position with the BBG or BBG grantee **must** be accompanied by a signed and dated supplemental attestation that contains the following information about the beneficiary:

1. The job title and a full description of the job to be performed; and
2. The broadcasting expertise held by the beneficiary, including how long the beneficiary has been performing duties that relate to the prospective position or a statement as to how the beneficiary possesses the necessary skills that make him or her qualified for the broadcasting-related position within the BBG or BBG grantee.

Follow the instructions on Form I-360 on where to file your petition.

Petitioning for an Employment-Based Fourth Preference Immigrant

To petition for an EB-4 special immigrant, your employer **must** file Form I-360. However, there are certain situations where you, the employee, may self-petition on your own behalf. Review the petition instructions to see if you are eligible to self-petition and what required supporting evidence needs to be included.

General Instructions

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 your petition. 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 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 application, petition, or request. 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 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 you are required to provide biometrics, at your 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, your petition; and
3. All of this information was complete, true, and correct at the time of filing.

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

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 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 should also include the date, the translator's signature and printed name, and may contain the translator's contact information.

How to Fill Out Form I-360

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this petition, use the space provided in **Part 15. 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.
4. **USCIS Online Account Number** (if any)**.** If you have previously filed an application, petition, or request 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, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing 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. 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. **Form I-94 Arrival-Departure Record.** If U.S. Customs and Border Protection (CBP) or USCIS issued you a Form I-94, Arrival-Departure Record, provide your Form I-94 number and date that your 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, you may have been issued an electronic Form I-94 by CBP, instead of a paper Form I-94. You may visit the CBP Web site at **www.cbp.gov/i94** to obtain a paper version of an electronic Form I-94. CBP **does not** charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013 with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP Web site without charge. If your Form I-94 cannot be obtained from the CBP Web site, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS **does** charge a fee for this service.

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.

6. **Part 11. Petitioner's Statement, Contact Information, Declaration, and Signature (Individual).**

   IMPORTANT: Complete this section **ONLY** if you are an individual filing this petition for yourself. If you are filing Form I-360 to petition for another person or as an authorized signatory of an organization, complete **Part 12. Statement, Contact Information, Declaration, 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 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.

7. **Part 12. Statement, Contact Information, Declaration, and Signature of the Petitioner or Authorized Signatory.**

   IMPORTANT: Complete this section **ONLY** if you are filing Form I-360 to petition for another person or as an authorized signatory of an organization. If you are an individual filing this petition for yourself, complete **Part 11. Petitioner's Statement, Contact Information, Declaration, and Signature (Individual)**.

   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 must sign and date your petition and provide your 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 of the organization. A stamped or typewritten name in place of a signature is not acceptable.

8. **Part 13. 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.

9. **Part 14. 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. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 13.** and **Part 14.** 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 whose representation extends beyond preparation of this petition, he or she may be obliged to 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.

We recommend that you print or save a copy of your completed petition to review in the future and for your records. If you are required to appear for a biometric service appointment, 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 petition 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 Is the Filing Fee?

The filing fee for Form I-360 is **$405**, except there is no filing fee if filing for:

1. An Amerasian;
2. A Special Immigrant Juvenile;
3. A VAWA self-petitioning spouse or child of a U.S. citizen or lawful permanent resident;
4. A VAWA self-petitioning parent of a U.S. citizen son or daughter;
5. An Afghanistan National or Iraq National who worked with the U.S. Armed Forces as a translator;
6. An Iraq National who worked for or on behalf of the U.S. Government in Iraq; or
7. An Afghanistan National who worked for or on behalf of the U.S. Government or International Security Assistance Force (ISAF) in Afghanistan.

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-360 filing fee:

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

   NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."
3. If you live outside the United States, contact the nearest U.S. Embassy or U.S. Consulate for instructions on the method of payment.

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

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

How to Check If The Fees Are Correct

Form I-360'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 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**.

Where To File?

Please see our Web site at **www.uscis.gov/i-360** 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

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 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 the Lockbox does not process change of address requests.

Processing Information

USCIS will reject any Form I-360 that is not signed or accompanied by the correct filing fee and send you a notice that Form I-360 is deficient. You may correct the deficiency and resubmit Form I-360. 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.

Request 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.

Request 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-360 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.

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 the Forms Request Line 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 schedule an appointment online at **www.uscis.gov**. Select "Schedule an appointment online" 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-360, we will deny your Form I-360 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

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 222, 8 U.S.C. sections 1107(a)(27), 1103, 1153(b), and 1202, and 8 CFR parts 103 and 204. If this petition is filed pursuant to VAWA, the information contained herein is also protected under 8 U.S.C. section 1367.

PURPOSE: The primary purpose for providing the requested information on this petition is to determine if you have established eligibility for the immigration benefit for which you are filing. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision 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 you can find at **www.dhs.gov/privacy**. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security. If the information contained in Form I-360 is protected under 8 U.S.C. section 1367, any sharing with Federal, state, local, or foreign agencies will be done in accordance with 8 U.S.C. section 1367.

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 2 hours and 5 minutes per response (except 3 hours and 5 minutes per response for Iraqi or Afghan Nationals who were employed by or on behalf of the U.S. Government in Iraq or Afghanistan, and 2 hours and 20 minutes per response for Religious Workers), including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing 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, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0020. **Do not mail your completed Form I-360 to this address.**