



U.S. Citizenship
and Immigration
Services

November 14, 2006

Public Notice

USCIS Announces Transfer of Form I-129F (K-3-spouse of U.S. Citizens only), Petition for Alien Fiancé

Beginning October 23, 2006, U.S. Citizenship and Immigration Services (USCIS) National Benefits Center (NBC) began transferring Form I-129F, Petition for Alien Fiancé(e), (petitions for K-3-spouses of U.S. citizens only), to the California Service Center (CSC) and the Vermont Service Center (VSC), depending on the location of the related Form I-130, Petition for Alien Relative. This transfer is being implemented in preparation for Phase 3 of the USCIS initiative to use centralized filing and bi-specialized adjudication. Through this Bi-Specialization effort, USCIS continues to align similar workloads between two “sister” service centers, CSC and VSC, to better manage cases and improve customer service.

USCIS will continue to forward approved Form I-129F (K-3) petitions to the National Visa Center (NVC) for consular processing. However, it will retain approved Form I-130 petitions, based upon a mutual agreement with the Department of State. USCIS will retain all approved Forms I-130 for retrieval upon the beneficiary’s eventual application for adjustment of status (Form I-485), unless the petitioner clearly indicates on Form I-130 that the beneficiary will use the consular process. USCIS will store approved Form I-130 petitions at its National Record Center (NRC).

USCIS has implemented this process change because most K-3 beneficiaries apply for lawful permanent residence by filing Form I-485, Application to Register Permanent Residence or Adjust Status, following their arrival in the United States, as opposed to using their approved Form I-130 petition to apply for an immigrant visa abroad. By retaining the approved Form I-130 petition at the NRC, USCIS will reduce unnecessary file movement and eliminate applicable costs and fees associated with immigrant visa processing.

If the beneficiary should later elect to consular process instead of applying for adjustment of status, Form I-824, Application for Action on an Approved Application or Petition, must be filed with the USCIS office that approved Form I-130. Upon favorable action on Form I-824, USCIS will send Form I-130 to the NVC.

This internal transfer of work does not alter the existing filing instructions for any of the forms. Accordingly, USCIS customers who file Forms I-130, I-129F (K-3-spouses of U.S. citizens only), and I-485 should continue to follow the current filing instructions on these forms. Customers affected by this transfer will receive a receipt notice from the NBC notifying them of the location to which their Form I-129F has been transferred.

USCIS customers can utilize the following methods to obtain case status information about their pending applications and petitions:

- Calling the National Customer Service Call Center at 1-800-375-5283
- Using the USCIS web-based Case Status Online located at www.uscis.gov