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November Brings New Form I-129 Requirements

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The U.S. Citizenship and Immigration Services (USCIS) periodically updates its forms, including those for nonimmigrant visa petitions, such as Form I-129. U.S. petitioners use this particular form to file nonimmigrant visa petitions on behalf of a nonimmigrant worker seeking E-3, H-1B, H-2A, H-2B, H-3, L-1, O-1, O-2, P-1, P-1S, P-2, P-2S, P-3, P-3S, Q-1 or R-1 status. This form may also be used to request an extension of stay in or change of status to E-1, E-2, E-3, H-1B1 or TN, or one of the above classifications.

Form edition dates may be found at the bottom of the page on the form, as well as in the instructions. The most recent edition of Form I-129 is dated May 31, 2023.

Beginning Nov. 1, the USCIS will only accept the May 2023 version of Form I-129. Failure to file a relevant petition with the most current form beyond Nov. 1 may result in the rejection of the filing. Until then, petitioners may continue to use the Nov. 2, 2022, edition.

This article was co-authored by Tieranny Cutler, independent contract attorney.