



January 31, 2020

PA-2020-03

Policy Alert

SUBJECT: Accepting Petition for Alien Relative (Form I-130) Abroad

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to address the limited circumstances in which USCIS has delegated authority to the U.S. Department of State (DOS) to accept and adjudicate the Form I-130 filed abroad at U.S. embassies and consulates.

Background

In 2012, USCIS centralized its Form I-130 filing process by requiring petitioners to file all Form I-130 petitions with a USCIS lockbox in the United States unless certain circumstances existed. USCIS also issued a policy memorandum,¹ which provided guidance on when a petitioner could file a Form I-130 abroad at a USCIS international office and when USCIS might permit a local filing with DOS in exceptional circumstances. With the impending adjustment of USCIS' international footprint, USCIS is revising Form I-130 processing roles abroad. Additionally, on October 30, 2019, USCIS announced that it launched an online Form I-130 filing option that streamlines the process. USCIS encourages all eligible petitioners to utilize online filing.

This guidance, contained in Volume 6 of the Policy Manual, is effective February 1, 2020, and applies to petitions filed on or after that date. Once effective, this policy will supersede the guidance found in Chapter 21.12 of the Adjudicator's Field Manual (AFM), related AFM appendices, and related policy memoranda. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance on the topic.

Policy Highlights

- Clarifies that USCIS will, generally, no longer accept and adjudicate routine Form I-130 petitions at its remaining international offices, as of February 1, 2020,² and outlines filing options, including the new Form I-130 online filing.

¹ See Process for Responding to Requests by the Department of State (DOS) to Accept a Locally Filed Form I-130, Petition for Alien Relative, PM-602-0043.1, issued May 14, 2012.

² However, the USCIS offices in Accra, Ghana and London, United Kingdom will continue to accept and adjudicate Form I-130 petitions filed by U.S. citizens residing in-country who are filing on behalf of their spouse, unmarried child under the age of 21, or parent (if the U.S. citizen is 21 years of age or older) through March 31, 2020.

- Removes the requirement that DOS seek and receive case-specific permission from USCIS in advance, and instead explains when DOS may exercise its discretion to accept and adjudicate Forms I-130 filed abroad, and related procedures.
- Provides examples of exceptional circumstances, such as medical emergencies, and clarifies blanket authorization criteria, such as for certain active duty military members, that petitioners must meet in order to warrant DOS's favorable exercise of discretion to accept and adjudicate Form I-130.

Citation

Volume 6: Immigrants, Part B, Family-Based Immigrants, Chapter 3, Filing [[6 USCIS-PM B.3](#)].