

Table of Changes to the Instructions of Form I-130

I-130 Instructions	Old version	New version
Page 1. Instructions	<p>Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.</p>	<p>Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers. If you do not follow the instructions, U.S. Citizenship and Immigration Services (USCIS) may have to return your petition, which may delay final action.</p> <p>The filing addresses provided on this form reflect the most current information as of the date this form was last printed. If you are filing Form I-130 more than 30 days after the latest edition date shown in the lower right-hand corner, please visit our website online at www.uscis.gov before you file, and check the Immigration Forms page to confirm the correct filing address and version currently in use. Check the edition date located in the lower right-hand corner of the form. If the edition date on your Form I-130 matches the edition date listed for Form I-130 on the online Immigration Forms page, your version is current and will be accepted by USCIS. If the edition date on the online version is later, download a copy and use the online version. If you do not have internet access, call the National Customer Service Center at 1-800-375-5283 to verify the current filing address and edition date.</p>

<p>Page 1, What is the Purpose of this Form</p>	<p>You must file a separate form for each eligible relative.</p>	
<p>Page 1, Who May File this Form I-130?</p>	<p>1. If you are a U.S. citizen, you may file this form for:</p>	<p>1. If you are a U.S. citizen you must file a separate Form I-130 for each eligible relative. You may file a Form I-130 for:</p>
<p>Page 1, Who May File this Form I-130? NOTE:</p>	<p>4. The persons described above under this NOTE will be able to apply for an immigrant visa along with your relative.</p>	<p>4. The persons described in number 2 and 3 of the above NOTE will be able to apply for an immigrant visa along with your relative.</p>
<p>Page 1, Who may not file this form I-130?</p>	<p>6. A husband or wife, if he or she was in exclusion, deportation, removal, rescission or judicial proceedings regarding his or her right to remain in the United States when the marriage took place, unless such spouse has resided outside the United States for a two-year period after the date of the marriage.</p>	<p>6. A husband or wife, if you married your husband or wife while your husband or wife was the subject of an exclusion, deportation, removal, or rescission proceeding regarding his or her right to be admitted into or to remain in the United States, or while a decision in any of these proceedings was before any court on judicial review, unless:</p> <p>You prove by clear and convincing evidence that the marriage is legally valid where it took place, and that you and your husband or wife married in good faith and not for the purpose of procuring the admission of your husband or wife as an immigrant, and that no fee or any other consideration (other than appropriate attorney fees) was given for your filing of this petition OR</p>

<p>Page 2. What Documents Do You Need to Show That You Are a United States Citizen?</p>	<p>1. If you were born in the United States, a copy of your birth certificate, issued by a civil registrar, vital statistics office, or other civil authority. If a birth certificate is not available Page 3, titled “What If a Document Is Not Available?”</p>	<p>Your husband or wife has lived outside the United States, after the marriage, for a period of at least two years.</p> <p>1. If you were born in the United States, a copy of your birth certificate, issued by a civil registrar, vital statistics office, or other civil authority.</p>
<p>Page 2. What Documents Do You Need to Prove Family Relationship?</p>	<p>D. A completed and signed Form G-325A, Biographic Information, for you and a Form G-325A for your husband or wife. Except for your name and signature you do not have to repeat on the Form G-325A the information given on your Form I-130 petition.</p>	
<p>Page 2. What Documents Do You Need to Prove Family Relationship? (After letter J.)</p>		<p>NOTE: If you married your husband or wife while your husband or wife was the subject of an exclusion, deportation, removal, or rescission proceeding (including judicial review of the decision in one of these proceedings), this evidence must be sufficient to establish the bona fides of your marriage by clear and convincing evidence.</p>
<p>Page 2. What Documents Do You Need to Prove Family Relationship?</p>	<p>4. A child born out of wedlock and you are the father:</p>	<p>4. A child born out of wedlock and you are the father: (first part should be bold, rest remains as in the old version)</p>

<p>Page 3. What Documents Do You Need to Prove Family Relationship?</p>	<p>8. Stepparent/Stepchild: if your petition is based on a stepparent-stepchild relationship, you must file your petition with a copy of the marriage certificate of the stepparent to the child's natural parent showing that the marriage occurred before the child's 18th birthday, and copies of documents showing that any prior marriages were legally terminated.</p>	<p>8. Stepparent/Stepchild: If your petition is based on a stepparent-stepchild relationship, you must file your petition with a copy of the marriage certificate of the stepparent to the child's natural parent showing that the marriage occurred before the child's 18th birthday, copies of documents showing that any prior marriages were legally terminated and a copy of the stepchild's birth certificate.</p>
<p>Page 3. Where To File?</p>	<p>Where To File?</p> <p>If you reside in the United States, file this form at the USCIS Service Center having jurisdiction over your place of residence.</p> <p>If you live in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, U.S. Virgin Islands, Virginia or West Virginia, mail this petition to:</p> <p>USCIS Vermont Service</p>	<p>Where To File?</p> <p>If you reside in the United States, file the I-130 Form at the Lock-Box according to following instructions:</p> <p>If you are the petitioner and you reside in Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin or Wyoming and you are filing only Form I-130, mail the petition to the USCIS Lockbox Facility. The Address is as follows:</p>

<p>Page 4. Where to File? (continuation)</p>	<p>Center 75 Lower Welden Street St. Albans, VT 05479-0001</p> <p>If you live in Alaska, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin or Wyoming, mail this petition to:</p> <p>USCIS Nebraska Service Center P.O. Box 87130 Lincoln, NE 68501-7130</p> <p>If you live in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee or Texas, mail his petition to:</p> <p>USCIS Texas Service Center P.O. Box 50919 Mesquite, TX 75185-0919</p> <p>If you live in Arizona, California, Guam, Hawaii or Nevada, mail his petition to:</p> <p>USCIS California Service Center P.O. Box 0130 Laguna Niguel, CA 92607-0130</p> <p>Or, for non-United States Postal Service (USPS)</p>	<p>USCIS P.O. Box 804625 Chicago, IL 60680-1029</p> <p>If you are the petitioner and you reside in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, West Virginia or District of Columbia and you are filing only Form I-130, mail the petition to the USCIS Lockbox Facility. The Address is as follows:</p> <p>USCIS P.O. Box 804616 Chicago, IL 60680-1029</p> <p>For private couriers (non USPS) deliveries:</p>
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<p>Page 4.</p> <p>Where to File? (continuation)</p>	<p>deliveries (such as overnight delivery services): U.S. Citizenship and Immigration Services Attn: FBASI 427 S. LaSalle – 3rd Floor Chicago, IL 60605-1098</p> <p>Applicants who reside in the jurisdiction of the Baltimore, MD, USCIS District Office should submit the Form I-130 petition and the Form I-485 concurrently to:</p> <p>USCIS Vermont Service Center 75 Lower Welden Street St. Albans, VT 05479-0001</p>	<p>U.S. Citizenship and Immigration Services Attn: FBASI 427 S. LaSalle – 3rd Floor Chicago, IL 60605-1098</p> <p>The language in the old version is deleted</p>
<p>Page 5. Processing Information.</p>	<p>Processing Information.</p> <p>Acceptance. Any application that is not signed or accompanied by the correct fee will be rejected with a notice that the application is deficient. You may correct the deficiency and resubmit the application. However, an application is not considered properly filed until accepted by USCIS.</p> <p>Initial Processing. Once the application has been accepted, it will be checked for completeness, including</p>	<p>Processing Information.</p> <p>Acceptance. Any I-130 petition that is not properly signed or accompanied by the correct fee will be rejected with a notice that the petition is deficient. You may correct the deficiency and resubmit the petition. However, a rejected petition does not retain a filing date. A petition is not considered properly filed until accepted by USCIS.</p> <p>Initial Processing. Once the petition has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form or if you file it without the required initial</p>

	submission of the required initial evidence. If you do not completely fill out the form or file it without the required initial evidence, you will not establish a basis for eligibility and we may deny your application.	evidence, you will not establish a basis for eligibility and USCIS may deny your petition.
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Justification:

USCIS is amending the Form I-130 to require petitioners filing a stand-alone I-130, Petition for Alien Relative, on behalf of their spouse and/or family members to submit documentation and proper fees to the appropriate location that coincides with the State in which the petitioner resides. The filing address change is necessary to ensure that the petition is filed with the correct location. In addition to amending the filing instructions, minor changes are needed to clarify for petitioners the legal and documentary requirements for filing Form I-130. This, in turn, will facilitate acceptance and adjudication of the petition in accordance with prescribed legal standards.