

**Amended I-360 Table of Changes
As of November 23, 2009**

Location	Current Language	Proposed Language
	<p>p. 2 Widow/Widower of a U.S. citizen</p> <p>1. You were married for at least 2 years to a U.S. citizen who is now deceased and who was a U.S. citizen at the time of death.</p> <p>2. Your citizen spouse's death was less than 2 years ago.</p>	<p>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.</p> <p>2. Your citizen spouse died less than 2 years before the date on which you file this petition.</p> <p>NOTE: If your spouse died before October 28, 2009, you may still file this petition if you do so before October 28, 2011.</p> <p>NOTE: If your citizen spouse filed a Form I-130 for you before your citizen spouse died, you do not need to file this petition. Under 8 CFR 204.2(i)(1)(iv), your citizen spouse's Form I-130 was converted to a widow(er)'s Form I-360 when your citizen spouse died.</p>
<p>Page 9 Surviving Spouses of Deceased U.S. Citizens Who Died Before the Second Anniversary of the Marriage (And the Surviving Spouse's Qualifying Children)</p>	<p>Surviving Spouses of Deceased U.S. Citizens Who Died Before the Second Anniversary Of the Marriage (And the Surviving Spouse's Qualifying Children)</p> <p>You may apply for deferred action if you:</p> <p>1. Are the surviving spouse of a U.S. citizen;</p> <p>2. Were married to (and not legally divorced or legally separated from) that U.S. citizen at the time of his/her death;</p>	<p>Deleted all information relating to "Surviving Spouses of Deceased U.S. Citizens Who Died Before the Second Anniversary of the Marriage (And the Surviving Spouse's Qualifying Children)"</p>

3. Are presently residing in the United States;

4A. Understand that for the purposes of this program, Form I-360 is being used as a means to determine your eligibility for deferred action **ONLY**; and

B. Understand that the grant of deferred action as requested on your Form I-360 does not make you a special immigrant or classify you as an immigrant for purposes of establishing eligibility for an immigrant visa or adjustment of status to permanent resident in the United States **and** does not mean that you are eligible to self-petition as a widow/widower or special immigrant;

5. May include your children who are presently residing in the United States in this request for deferred action by listing them in **Part 9**, if they meet the following definition of qualifying children:

For the purposes of a petition for deferred action as a surviving spouse of a deceased U.S. citizen, who died before the second anniversary of the marriage and his or her qualifying children, the term

“qualifying children” is defined as follows:

A. Any children of the surviving alien spouse of the deceased U.S. citizen who are:

i. Under the age of 21 years at the time of the filing of the request for deferred action, or under the age of 21 years at the time any immediate relative petition was filed on their behalf by the deceased U.S. citizen spouse;

ii. Unmarried; and

iii. Presently residing in the United States.

B. Qualifying children **do not** include the following persons:

i. Children born in the United States;

ii. Children who are the natural or lawfully adopted children or sons and daughters of the deceased U.S. citizen, **unless** they are also the stepchildren of the surviving alien spouse by virtue of the marriage to the U.S. citizen having taken place before the children’s 18th birthdays;

iii. Married sons or daughters of the surviving alien spouse;

iv. The sons or daughters of the surviving alien spouse who are outside the United States at the time that the deferred action request is filed; or

v. Sons or daughters of the surviving alien spouse who have reached the age of 21 years at the time that the request for deferred action was filed, unless Form I-130 was filed on their behalf as immediate relative children before their 21st birthdays.

The following circumstances will make you ineligible for deferred action under this program:

A. A divorce legally terminating the spousal relationship between you and the now deceased U.S. citizen;

B. You were married to another person at the time of your qualifying U.S. citizen spouse's death;

C. You remarried after the death of the U.S. citizen spouse regardless of whether you are currently divorced from that person or that person has also died;

	<p>or</p> <p>D. You were legally separated from your U.S. citizen spouse at the time of his or her death;</p> <p>6A. The deferred action applicant must complete Parts 1, 3, 4, 7, 9, 10, and 11 of Form I-360;</p> <p>B. Check “m” in Part 2 of Form I-360 and write in the appropriate language specified within these instructions. (Note: Your failure to check “m” and write in the appropriate language may result in a denial of the petition.);</p> <p>7. Submit the appropriate fee with your Form I-360; and</p> <p>8. Submit your deferred action request (Form I-360 with appropriate fee) with the supporting documents listed under “Widow/Widower of a U.S. Citizen” on Pages 1-2 of these instructions.</p>	
<p>Page 7</p> <p>Where to File?</p>	<p><u>P. 11 Where To File?</u></p> <p>Where Form I-360 is submitted depends on where you live and/or the category in which you are filing. See the following instructions to determine where to file the petition. For Service Center and</p>	<p><u>Where to File?</u></p> <p>Where you can submit Form I-360 depends on where you live and/or the category in which you are filing. Read the following instructions carefully to determine where to file the petition, as the filing location may have changed.</p>

Lockbox mailing addresses, go to “Mailing Addresses” at the end of this section.

Updated Filing Address Information

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-360 more than 30 days after the latest edition date shown in the lower right-hand corner, visit our Web site 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-360 matches the edition date listed for Form I-360 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. **Improperly filed forms will be rejected, and the fee**

Updated Filing Address Information

The filing addresses provided on this form reflect the most current information as of the date USCIS last printed this form. If you are filing Form I-360 more than 30 days after the latest edition date shown in the lower right corner, visit our Web site at www.uscis.gov before you file, and check the “FORMS” page to confirm the correct filing address and version currently in use. Check the edition date located in the lower right corner of the form.

If the edition date on your Form I-360 matches the edition date listed for Form I-360 on the online “FORMS” page, your version is current. If the edition date on the online version is later, download a copy and use it.

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.

USCIS will reject improperly filed forms. USCIS will return the fee, with instructions to resubmit the entire filing using the current form instructions.

Self-Petitioning Battered or Abused Spouse or Child

returned, with instructions to resubmit the entire filing using the current form instructions.

Amerasian

1. If the beneficiary lives outside the United States, Form I-360 may be filed at the USCIS office overseas or at the U.S. Embassy or consulate having jurisdiction over the beneficiary's current place of residence.

2. Form I-360 may also be filed at the USCIS office having jurisdiction over the beneficiary's intended place of residence in the United States by submitting this petition to the USCIS Lockbox.

Widow or Widower

1. If you are filing only Form I-360, it must be filed at the Vermont Service Center.
2. Form I-360 may also be filed concurrently with Form I-485. Concurrent Form I-

(Part 2, Box "i" or "j" on the form):

You must file Form I-360 at the **USCIS Vermont Service Center**, regardless of where you live. In some cases you may file it concurrently with Form I-485.

NOTE: You may file Form I-485 concurrently with Form I-360 if the abusive spouse or parent is a U.S. citizen. Otherwise, an immigrant visa number must be immediately available to file Form I-485 concurrently.

USCIS Vermont Service Center

USCIS
Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001

Afghan and Iraqi Translators/Interpreters, or Iraqi Employees Who Worked for or on Behalf of the U.S. Government (Part 2, Box "k" or "l" on the form.)

must file Form I-360 at the **USCIS Nebraska Service Center**, regardless of where you live. You **cannot** file it concurrently with Form I-485.

USCIS Nebraska Service Center:

USCIS
Nebraska Service Center
P.O. Box 87485

	<p>360/I-485 widow/widower filings must be filed with the USCIS Lockbox.</p> <p>3. If you live outside the United States, you may file Form I-360 at the USCIS office or U.S. Embassy or consulate that has jurisdiction over the area where you live.</p> <p>Special Immigrant Juvenile Court Dependent</p> <p>Form I-360 may be filed alone or concurrently with Form I-485 at the USCIS Lockbox.</p> <p>Religious Worker or Minister</p> <p>Form I-360 must be filed at the California Service Center, regardless of where you live or work. It cannot be filed concurrently with Form I-485.</p> <p>Special Immigrant International Organization Employee or Family Member</p> <p>Form I-360 must be filed with the Nebraska Service Center, regardless of where you live. It may be filed alone or concurrently with Form I-485.</p>	<p>Lincoln, NE 68501-7485</p> <p><u>You must file at the USCIS Chicago Lockbox Facility if you are filing your Form I-360 under the classification:</u></p> <ol style="list-style-type: none"> 1. Amerasian (Part 2, Box “a” on the form): <p>Note: If you live outside the United States, you may file Form I-360 at the USCIS office or U.S. Embassy or consulate that has jurisdiction over the area where you live.</p> 2. Widow or Widower (Part 2, Box “b” on form) filed concurrently with Form I-485. (Note: Form I-360 submitted alone should go to the USCIS Dallas or Phoenix Lockbox Facility, based on where the applicant lives. See address chart on page 7 for guidance.) 3. Special Immigrant Juvenile (Part 2, Box “c” on the form): You may file alone or concurrently with Form I-485. <p>USCIS Chicago Lockbox</p> <p>For U.S. Postal Service (USPS) deliveries:</p>
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Armed Forces Member

1. If you live outside the United States, file Form I-360 at the USCIS office or U.S. Embassy or consulate abroad that has jurisdiction over the area where you live.
2. If you live in the United States, file Form I-360 with the Vermont or California Service Center, depending on the place where you live, or you may file it concurrently with Form I-485 at the USCIS Lockbox.

Afghan and Iraqi Translators/Interpreters, or Iraqi Employees Who Worked for or on Behalf of the U.S. Government

Form I-360 must be filed at the Nebraska Service Center, regardless of where you live. It cannot be filed concurrently with Form I-485.

International Broadcasters

Form I-360 must be filed at the Vermont Service Center, regardless of where you live or work. It cannot be filed concurrently with

USCIS

**P.O. Box 805887
Chicago, IL 60680-4120**

For Express mail and courier deliveries:

USCIS

**Attn: FBAS
131 South Dearborn - 3rd Floor
Chicago, IL 60603-5520**

If you are filing the Form I-360 for any other reason, file your application at the USCIS Phoenix or Dallas Lockbox facility, based on where you live. See chart.

Other filing categories include but are not limited to:

1. Religious Workers (Part 2, Box “d” on the form) must file Form I-360 alone or concurrently with a Form I-485;

2. Panama Canal Company Employment (Part 2, Box “e” on the form) must not file Form I-360 concurrently with a Form I-485;

3. Canal Zone Government Employment or U.S. Government in Canal Zone Employment (Part 2, Box “e” on the form) must not file Form I-360 concurrently with a Form I-485;

4. Special Immigrant

Form I-485.

Self-Petitioning Battered or Abused Spouse or Child

Form I-360 must be filed at the Vermont Service Center, regardless of where you live. In some cases it may be filed concurrently with Form I-485 (see note below).

NOTE: Form I-485 may be filed concurrently with Form I-360 if the abusive spouse or parent is a U.S. citizen. Otherwise, an immigrant visa number must be immediately available to file the I-485 concurrently.

Surviving Spouse of Deceased U.S. Citizens Who Died Before the Second Anniversary of the Marriage (And the Surviving Spouse’s Qualifying Children)

If you are filing as a surviving spouse of a U.S. citizen who died prior to 2 years of marriage, you must file your Form I-360 with the appropriate fee and supporting documents with the Vermont Service Center.

For other categories including:

- 1. Panama Canal

Physician (Part 2, Box “f” on the form) must not file Form I-360 concurrently with a Form I-485;

5. Special Immigrant Organization Employee or Family Member (Part 2, Box “g” on the form) must file Form I-360 alone or concurrently with a Form I-485;

6. International Broadcasters (Part 2, Box “g” on the form) must not file Form I-360 concurrently with a Form I-485;

7. Members of the Armed Forces who live within the United States (Part 2, Box “h” on the form) must file Form I-360 alone or concurrently with a Form I-485.

USCIS Phoenix or Dallas Lockbox Facility

<u>If you live in :</u>	<u>File your application at:</u>
Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan,	USCIS Phoenix Lockbox For U.S. Postal Service (USPS) deliveries: USCIS PO Box

	<p>Company Employment;</p> <p>2. Canal Zone Government Employment;</p> <p>3. U.S. Government in Canal Zone Employment; or</p> <p>4. Special Immigrant Physician.</p> <p>File Form I-360 with the California Service Center or the Vermont Service Center, depending on where you live:</p> <p>If you live in Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, South Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia file this petition with the Vermont Service Center.</p> <p>If you live in Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South</p>	<p>Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, or Wyoming</p>	<p>21281 Phoenix, AZ 85036</p> <p>For Express mail and courier service deliveries:</p> <p>USCIS Attn: AOS 1820 E. Skyharbor Circle S Suite 100 Phoenix, AZ 85034</p>
		<p>Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia</p>	<p>USCIS Dallas Lockbox For U.S. Postal Service (USPS) Deliveries: USCIS PO Box 660867 Dallas, TX 75266</p> <p>For Express mail and courier service deliveries:</p> <p>USCIS Attn: AOS 2501 S. State Hwy. 121, Business Suite 400</p>

Dakota, Utah, Washington, Wisconsin, or Wyoming, file this petition with the **California Service Center.**

Mailing Addresses:

Service Center Addresses:

California Service Center

USCIS
California Service Center
P.O. Box 10360
Laguna Niguel, CA 92607-0360

Nebraska Service Center

USCIS
Nebraska Service Center
P.O. Box 87360
Lincoln, NE 68501-7360

Vermont Service Center

USCIS
Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001

USCIS Lockbox Addresses

For U.S. Postal Service (USPS) deliveries, use the following P.O. Box Number:

USCIS
Attn: I-360
Box 805887
Chicago, IL 60680-4120

For Courier or Special Delivery, use:

Tennessee,
Texas,
Vermont,
Virginia, U.S.
Virgin Islands,
or West
Virginia

Lewisville,
TX 75067

E-Notification:

If you are filing your Form I-360 at one of the USCIS Lockbox facilities, you may elect to receive an email and/or text message notifying you that your application has been accepted. You must complete Form G-1145, E-Notification of Application/Petition Acceptance, and clip it to the first page of your application. To download a copy of Form G-1145, including the instructions, click on the link www.uscis.gov "FORMS."

	<p>USCIS Attn: I-360 131 South Dearborn-3rd Floor Chicago, IL 60603-5517</p>	
FORM		
<p>Page 1</p> <p>Part 2. Classification Requested</p>	<p>Part 2. Classification Requested</p> <p>b. <input type="checkbox"/> Widow(er) of a U.S. citizen who dies within the past tow (2) years</p>	<p>Part 2. Classification Requested</p> <p>b. <input type="checkbox"/> Widow(er) of a U.S. citizen</p>