

Changes to Filing I-130 Petitions Overseas

Effective August 15, 2011, petitioners residing overseas will no longer be able to routinely file Forms I-130, Petitions for Alien Relative, with U.S. Embassies and Consulates except in locations where U.S. Citizenship and Immigration Services (USCIS) has a public counter presence within the Embassy or Consulate. Petitioners residing overseas in countries where USCIS does not have a public counter presence, **such as Malaysia**, will be required, starting August 15, 2011, to file their Forms I-130 by mail with the USCIS Chicago lockbox. U.S. Embassies and Consulates that do not have a USCIS presence will only be able to accept and process Forms I-130 in exceptional circumstances, as outlined below.

Forms I-130 that were properly filed at an Embassy or Consulate overseas where USCIS does not have a presence before August 15, 2011, will not be affected by this change.

Filing Instructions beginning August 15, 2011:

Beginning August 15, 2011, petitioners residing overseas who wish to file a Form I-130, Petition for Alien Relative, may do so as follows:

- If the petitioner resides in a country where USCIS does not have a public counter presence, the Form I-130 must be filed with the USCIS Chicago Lockbox at one of the addresses below, unless the petitioner requests and is granted an exception based on one of the criteria described below:

USCIS Chicago Lockbox addresses for regular mail deliveries:

USCIS
P.O. Box 804625
Chicago, IL 60680-4107

USCIS Chicago Lockbox address for express mail and courier deliveries:

USCIS
Attn: I-130
131 South Dearborn-3rd Floor
Chicago, IL 60603-5517

For additional information about how to file a Form I-130 with the USCIS Chicago lockbox, please see the USCIS website at www.uscis.gov or contact USCIS by phone at 1- 800-375-5283.

Exceptional Filing at U.S. Embassies or Consulates without a USCIS Field Office:

Beginning August 15, 2011, petitioners, who do not reside in a country with a USCIS field office, but who believe that their situation merits an exception, may request an exception to allow the Consular Section at the Embassy or Consulate to accept the filing. Each request for an exception will be evaluated individually.

A petitioner seeking to file a Form I-130 at an Embassy or Consulate where USCIS does not have a presence should contact the Consular Section to request consideration of the request for exception and explain the circumstances in detail. The Consular Section will then relay the request for an exception to the USCIS field office with jurisdiction over the Embassy or Consulate. The determination of whether the case presents exceptional circumstances that warrant an exception to the general filing process will be made by USCIS. USCIS will be publishing guidance on the circumstances that may qualify as exceptional on their website at:

<http://www.uscis.gov/ilink/docView/AFM/HTML/AFM/0-0-0-1/0-0-0-3481/0-0-0-6254.html>