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PA-2025-12

## Policy Alert

SUBJECT: Family-Based Immigrants

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to explain requirements associated with the screening, vetting, and adjudication of family-based immigrant visa petitions to include eligibility criteria, filing, interviews, and decisions.

### Background

The Immigration and Nationality Act (INA) provides that U.S. citizens, U.S. nationals, and lawful permanent residents (LPRs) may petition for certain alien relatives to immigrate to the United States by filing a Petition for Alien Relative ([Form I-130](#)).<sup>1</sup> Certain alien relatives include immediate relatives<sup>2</sup> of U.S. citizens or relatives who fall within a family-based preference category.<sup>3</sup>

Fraudulent, frivolous, or otherwise non-meritorious family-based immigrant visa petitions erode confidence in family-based pathways to lawful permanent resident (LPR) status and undermine the immigration system in the United States. USCIS must ensure that qualifying marriages and family relationships are genuine, verifiable, and compliant with all applicable laws.

This guidance streamlines existing policy to provide clear and consistent guidance for officers. This guidance also provides clarification on certain eligibility and adjudication requirements, including when USCIS requires an interview for family-based immigrant visa petitions and that USCIS may issue a Notice to Appear (NTA) to enhance benefit integrity and identify vetting and fraud concerns. This update also provides guidance related to family-based immigrant visa petitions approvals and denials.

This guidance, contained in Volume 6 of the Policy Manual, is effective immediately and applies to requests pending or filed on or after the publication date. This policy update consolidates, clarifies, and supersedes relevant guidance found in Chapters 21.1(a) and 21.2 of the AFM, related AFM appendices, and related policy memoranda. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

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<sup>1</sup> In addition, Congress provided that certain relatives may self-petition in limited circumstances. See [INA 201\(b\)\(2\)\(A\)](#), [INA 204\(a\)](#), and [INA 204\(f\)](#).

<sup>2</sup> See [INA 201\(b\)\(2\)\(A\)\(i\)](#).

<sup>3</sup> See [INA 203\(a\)](#). The term preference is used in immigration law to refer to numerically limited family-based and employment-based priority categories for immigration and LPR status.

## Policy Highlights

- Incorporates existing guidance on general eligibility criteria and filing and documentation requirements for family-based immigrant petitions.
- Explains how USCIS adjudicates family-based immigrant visa petitions that are filed with related petitions or multiple petitions.
- Explains circumstances in which USCIS authorizes the U.S. Department of State (DOS) to accept a [Form I-130](#) petition filed directly with DOS by a U.S. citizen for an immediate relative, including for petitions filed by U.S. military and certain U.S. government personnel stationed or assigned outside the United States, as well as temporary authorizations for large-scale disruptive events.
- Incorporates existing guidance explaining when USCIS routes an approved petition to the DOS National Visa Center, including circumstances where the beneficiary filed an application to adjust status but USCIS becomes aware of the beneficiary's ineligibility to adjust.
- Explains when USCIS requires interviews for family-based immigrant visa petitions.
- Explains that USCIS may issue an NTA if the alien beneficiary is otherwise removable since a family-based immigrant visa petition accords no immigration status or relief from removal.

## Summary of Changes

Affected Section: Volume 6 > Part B, Family-Based Immigrants

- In Chapter 1 (Purpose and Background), revises Sections A (Purpose) and C (Legal Authorities) throughout and adds content to previously reserved Section B (Background).
- Retitles and adds content to previously reserved Chapter 2 (General Eligibility Requirements) and Chapter 4 (Documentation and Evidence).

Affected Section: Volume 6 > Part B > Chapter 3, Filing

- Revises introduction and Section A (When the U.S. Department of State is Authorized to Accept and Adjudicate Form I-130) throughout, including creation of new subsections.
- Deletes existing Section C (Blanket Filing Authorizations), moving content to new Subsection 2 (Blanket Authorization) within Section A, with revisions throughout.
- Adds new Section D (Multiple Petitions).

Affected Section: Volume 6 > Part B > Chapter 5, Adjudication of Family-Based Petitions

- Adds content to previously reserved Section B (Interviews).

Affected Section: Volume 6 > Part B > Chapter 5 > Section C > Subsection 1, Approvals

- Revises the first and third paragraphs and second bulleted list under the italicized subheading “Consular Processing or Adjustment of Status.”

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

**Citation**

Volume 6: Immigrants, Part B, Family-Based Immigrants [[6 USCIS-PM B](#)] (Chapters 1-5).