

IMMIGRATION UPDATE ON RECEIPT NOTICE DELAYS



by

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If you recently filed an application or petition with the United States Citizenship and Immigration Services (USCIS) and you have not yet received a Receipt Notice, you are not alone! Due to an extraordinarily high number of applications received by USCIS in the past several months, USCIS is experiencing tremendous delays in issuing Receipt Notices to its customers.

In July and August of this year, USCIS received approximately 320,000 green card applications based on the July Visa Bulletin. As you may recall, the July Visa Bulletin made all employment-based visa categories “Current” for that month only. Therefore, USCIS was inundated with I-485 applications based on the July Visa Bulletin. Employment-based I-485 applicants should expect very long processing times in light of the fact that there are only 140,000 green cards allocated to the employment-based categories per year, yet USCIS received approximately 320,000 applications in just one month alone!

The Receipt Notice delay can also be blamed on the USCIS fee increase which went into affect on July 30, 2007. To beat the fee increase, many individuals filed applications prior to the July 30 fee increase. This was especially true for lawful permanent residents who filed Applications for Naturalization. These increased filings have also contributed to the delay in issuing Receipt Notices. It is likely that the processing times for N-400 (Naturalization) cases will increase significantly due to the high number of cases filed at this time. USCIS in Charlotte is anticipating that N-400 Applications for Naturalization may take up to 12 months to be processed.

The delay in issuing Receipt Notices applies to most every application filed by mail with USCIS. In many cases, it is taking between 2 and 3 months to obtain a Receipt Notice. Customers who have filed applications and whose checks have cleared their bank account can check the reverse side of their cancelled check for the 13-digit case number. Note that the Case Number will begin with three letters followed by ten digits.

At Long, Chang & Associates, we have noticed that many green card applicants are actually receiving their fingerprint notices (ASC Appointment Notices) before their Receipt Notices. For applicants who have filed for a green card and an employment authorization document (EAD or work permit), these ASC Appointment Notices will typically list the two different case numbers in the upper right hand corner of the Notice. These two case numbers (each beginning with 3 letters followed by 10 digits) represent

the case numbers for the Form I-485 (green card application) and the Form I-765 (application for an employment authorization document).

Once an applicant has their Case Number, that Case Number can be entered in the USCIS online case status system to follow the status of the case. Unfortunately, the USCIS online case status system is also experiencing delays. It is taking between one to two months after receiving the actual Receipt Notice with the Case Number for the computer online system to recognize the Case Number. As a result, don't be alarmed or worried if your Receipt Notice has been delayed or (if you have already received your Receipt Notice) if you cannot immediately enter your Case Number in the USCIS online case status system. The most you can do is to wait for your Receipt Notice knowing that this delay is not out of the ordinary and, if you are concerned about whether your application has been accepted for processing, you may want to review your bank statements to determine if your check for the filing fee has cleared your bank (assuming you have paid by personal check).

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