

**AMERICAN IMMIGRATION LAWYERS ASSOCIATION  
USCIS CHICAGO FIELD OFFICE  
QUESTIONS FOR MARCH 1, 2017 MEETING  
101 W. CONGRESS PARKWAY  
CHICAGO, IL 60605**

**1. Naturalization for Asylee/Refugees After Travel to Home Country**

Is there an adjudication policy in Naturalization regarding a permanent resident who having originally obtained status through Asylum, traveled temporarily to their home country after changed country conditions?

There is no adjudication policy regarding permanent residents who obtained status through Asylum and traveled to their home country after conditions changed in their country. It would not be improper, however, for an officer to question an applicant who obtained permanent residence status through Asylum about a trip to his/her home country.

**2. Case Follow Up Procedure**

Please confirm the procedure for following up on a long-pending case. What is a proper amount of time to await a decision post-interview? Is there a preferred method of contact? How long should someone wait before they move up the ladder in making an inquiry?

You may make an inquiry in person through InfoPass for all applications. Please allow 120 days post interview.

Alternatively, you may contact [CHI-EXM-INQUIRY@uscis.dhs.gov](mailto:CHI-EXM-INQUIRY@uscis.dhs.gov) with your inquiry for I-130 and I-485 cases, [CHIN400Inquiry@uscis.dhs.gov](mailto:CHIN400Inquiry@uscis.dhs.gov) for N400 cases, and [Stacey.L.Summers@uscis.dhs.gov](mailto:Stacey.L.Summers@uscis.dhs.gov) for I751 cases.

Please contact the Branch Chiefs, Pauline Woodson (Adjudications) Rose Cavazos (Citizenship) or Stacey Summers (Customer Service) for those applications that have been pending more than 1 year after the date of the interview.

**3. Replacement Parole-in-Place I-94**

How does a Parole-in-Place applicant request a replacement I-94, when they lost their original I-94?

A Parole in Place applicant may request a replacement Form I-94 by appearing for an InfoPass appointment.

#### 4. Emergency Advanced Parole

Please confirm that emergency advance parole requests can be made at the infopass windows for all I-131 applications? Members have, on several occasions, been advised that they need to repay the filing fee, that emergency advance parole was not available for DACA, or that the only justification for emergency advance parole was based on death or extreme illness of an immediate family member.

- a. Are there different standards for different applications?

Emergency advance parole requests may be made at the InfoPass area.

Emergency advance parole for DACA recipients is limited to humanitarian situations such as to obtain medical treatment abroad, to visit a close relative who is ill, or to attend the funeral of a close relative. The DACA recipient must provide evidence of the family relationship.

- b. Can USCIS fee in the I-131 locally, if necessary?

Yes, if a fee is required, the Form I-131 fee may be accepted locally.

#### 5. ADIT Stamps for N-400s

During an August 4, 2016 AILA teleconference with the USCIS Field Operations Directorate, USCIS clarified when naturalization applicants with pending N-400s are required to file a Form I-90 to renew an expiring permanent resident card (I-551), and explained when USCIS can issue an ADIT stamp as temporary proof of permanent residence without proof of a pending I-90. According to the call, the following applies:

- LPRs whose I-551 will expire within six months of filing an N-400 must also file Form I-90 with the filing fee to renew their I-551. In order to obtain an ADIT stamp, these individuals must provide the USCIS Field Office with a Form I-90 receipt notice.

Will the Chicago office issue ADIT stamps where an N-400 is filed at least 6 months prior to expiration of green card (without a pending I-90) in accordance with this guidance?

An LPR is required to have a valid, unexpired Form I-551 in his or her possession at all times. Applying for naturalization does not alter this requirement. For this reason, the LPR must generally file Form I-90, with fee, even if the LPR has applied for naturalization. If the Form I-90 is properly filed, the LPR can request an ADIT stamp. An applicant must have an I-90 filed to receive an ADIT stamp. Additionally, applying for naturalization does not remove the need to file an I-90 if your permanent resident card is about to expire. If you filed your N-400 at least 6 months before the expiration of your LPR card, you can obtain an ADIT stamp in lieu of filing for a new card.

## 6. Corrections to Lawful Permanent Resident Cards

Where an I-551 Lawful Permanent Resident card has been issued for an incorrect period of time (ie., card incorrectly issued as conditional) or lists the incorrect classification, what is the proper course of action members should take to correct these cards?

A lawful permanent resident (LPR) who believes they were misclassified, or believes their existing Permanent Resident Card (PRC) otherwise contains incorrect data, due to Department of Homeland Security error, may file an I-90 application under Part 2. Application Type, Reason for Application, 2.d. or 3.d. whichever is applicable. No filing fee or biometric services fee is required if filing using these reasons. The Form I-90 must be submitted with the original Permanent Resident Card issued with the incorrect data, and evidence to support the correction.

An LPR who believes they were misclassified as a conditional permanent resident should file an I-90 application under Part 2. Application Type, Reason for Application, 2.d.

Do not select either of these reasons for filing if the error on the PRC was not caused by DHS; instead file using reasons 2.e. or 3.e. whichever is applicable. Please refer to the Instructions for Form I-90 for additional information: <https://www.uscis.gov/i-90>

## 7. N-400 Division

Can you provide further explanation regarding the decision to divide the Naturalization unit into two separate branches? What steps will the office plan to take to ensure that both branches perform equally?

Since 2014, the Citizenship Branch has increased personnel by 25% and went from four to six supervisors. An increase in efficiency and management is gained by splitting the Citizenship Branch into two sections with one Branch Chief over each section. Since both of those Branch Chiefs will work together and report directly to Field Office Director Medina, there is no anticipated change to level or quality of service.

## 8. Unauthorized Practice of Law

What steps does this office take when confronted with an application for benefits which was prepared with the help of an unlicensed attorney, notario, travel agent, etc...?

USCIS Officers liaise with DHS Disciplinary Counsel and with state authorities, such as the Illinois Attorney General's office, to report any such activity once detected by or reported to our office in order to investigate and prosecute such violators. Further, USCIS has a public outreach and educational program designed to inform the immigrant communities of the dangers that such unscrupulous preparers pose. The UPIL program is administered locally through our Community Relations Officer who conducts dozens of presentations on this topic throughout the year and in many different forums.

## 9. Updated Processing Times

Can you please provide processing times for the following types of cases:

- a. N-400
- b. I-485
- c. I-751
- d. N-600
- e. I-290B
- f. Standalone I-130

At the meeting the District Director will provide current processing times for the petitions and applications that are tracked locally.

## 10. New Administration

In light of the new administration's priorities and following the issuance of three new Executive Orders relating to immigration, have there been any corresponding changes to USCIS Chicago's or FDNS's priorities, policies, and/or practices? If no, if such changes were to be realized in the future, how and when would applicants and their attorneys be informed of such changes?

We are not going to discuss the President's recent Executive Orders regarding immigration during this meeting.