



PRACTICE POINTER: **Ongoing Receipt Delays in Humanitarian Cases¹**

March 29, 2023

ASISTA continues to receive reports from its members about prolonged USCIS delays in issuing receipts for humanitarian applications. Affected case types include T- and U-visa, VAWA, and T- and U-based Adjustment of Status, among others. Delays exist regardless of whether a payment is included, but more and longer delays are associated with requests for fee waivers.²

This issue has been ongoing since at least June 2021. Since 2022, ASISTA has conducted two formal calls for examples. Findings included numerous examples of receipts delayed more than 150 days for U-visas at both the Nebraska and Vermont Service Centers, more than 100 days for VAWA Self-Petitions at the Vermont Service Center, and more than 90 days for U-based Adjustment of Status at the Vermont Service Center. ASISTA has shared selected results from these calls for examples with multiple DHS contacts.

In [March 2023](#), we received the latest response to our concern:

ASISTA: We have heard that receipt notice delays are still occurring at the humanitarian units. This appears to especially be a problem for filings with fee waivers or no fee but has also occurred even when a fee is submitted. How is USCIS responding to these receipt notice delays? What resolution should practitioners seek in the meantime? If the email hotlines are not responsive, who can practitioners escalate their inquiries with? U and T-based I-485

¹ Copyright 2023, ASISTA Immigration Assistance. The advisory is intended for authorized legal counsel and is not a substitute for independent legal advice provided by legal counsel familiar with a client's case.

² A receipt that documents the actual date USCIS received an application is critical for each of these case types. Among other reasons, it is essential for showing that a U-visa was filed before the I-918 Supplement B expired, that a VAWA I-360 was filed before a child turned 21 or before two years had passed from the abuser's death or divorce, or that a U-based Adjustment of Status was filed before U-status expired. A receipt may constitute essential proof of work authorization. Recognizing this importance, ASISTA and partner organizations have persistently raised this issue with USCIS contacts.

applicants need the receipt notice to show they are authorized to work incident to their status.

USCIS Response: USCIS acknowledges the impact delayed receipt notices and fee waiver decisions have on the victim populations. Service Centers continue to experience staffing shortages, contributing to the backlog. Additionally, the Centers have noted an increase in the number of fee waiver requests received, further causing delays in fee waiver determinations. Though recent adjustments in staffing that conduct fee waiver determinations and data entry of filings will assist in reducing any backlogs further, USCIS has implemented other measures to assist with timely issuance of receipt notices. USCIS has recently transferred filings to the Nebraska Service Center for fee waiver review and data entry. Any filings not adjudicated by NSC will be returned to the appropriate Service Center for adjudication.

See [ASISTA Q&A With USCIS Humanitarian Division \(Mar. 17, 2023\)](#).

While USCIS has repeatedly acknowledged the receipt notice delays, and has stated that measures are underway to address the problem,³ practitioners continue to report extreme delays, far beyond the 30 days that the USCIS website asserts should be expected.

What Can Be Done?

ASISTA and partner organizations will continue to monitor the situation and encourage practitioners to report egregious delays to us as we continue our advocacy.

In addition, the following information may be useful:

1. **Practitioners should not only save tracking numbers, but access and save tracking results.** Tracking for many mailing services expires after 4-6 months. If you do not have your client's receipt by then, you will still need a way to prove delivery.
2. **Do not despair if the hotline cannot immediately find your submission.** When a receipt appears delayed, Practitioners should email the service center hotline, attaching evidence of delivery, and inquire if the application was received. Sometimes a receipt is forthcoming, but often the hotline does not respond or replies alarmingly with some version of, "*After researching our electronic records we are unable to locate the record you*

³ On March 23, 2023, AILA published a [Practice Alert](#) reporting on a similar acknowledgement of receipt delays at the Vermont Service Center for non-humanitarian case types, such as business immigration filings.

are inquiring about at this time.” Practitioners should not despair: this response appears to be standard where no receipt has yet been created. It does not mean the filing is permanently lost. After receiving this email, most, if not all, applicants eventually are issued receipts. If you receive this response, you do not need to re-file immediately, and USCIS states that doing so may worsen the backlog. Rather, consider following up with the hotline 30 days later, and/or initiating a third-party case assistance request as described below.

3. **Most delayed receipts are eventually issued with the correct “received” date**, but practitioners should check the date against their tracking results to be sure. If there is an error and you saved your tracking results, email the hotline to request an amended receipt. If that is unsuccessful, consider resort to a third party as in Items 4-6 below.
4. **The CIS Ombudsman can assist where a receipt is missing** and a hotline email has not resolved the issue. Read more or initiate a request for assistance [here](#).
5. **A member of Congress can sometimes draw CIS’s attention to egregious delays**. Please refer to [this practice pointer](#) for more information.
6. **If you are an ASISTA member or receive OVW funding, and you have made other efforts to resolve the missing (or incorrect) receipt concern, you may request ASISTA’s help** obtaining a receipt using our [Technical Assistance \(TA\) request portal](#). ASISTA cannot guarantee action by the service center, but can draw attention to your client’s case.
7. **Participating in calls for examples** on this and similar issues ensures USCIS has accurate and up-to-date information on how its policies and procedures are operating in real life. Starting April 23, 2023, AILA will be collecting information on receipts delayed more than 30 days: AILA members should use this link to report an example: [Report a Trend function](#). If you have participated or plan to do so in the future, thank you!

Stay in Touch with ASISTA!

As always, for case-specific questions or requests for assistance, ASISTA members and certain OVW LAV grantees and STOP subgrantees, and potential grantees can make an appointment for technical assistance at <https://asistahelp.org/technical-assistance/>.