



Monday, April 8, 2008

## **U.S. CITIZENSHIP & IMMIGRATION SERVICES (CIS) AND THE FEDERAL BUREAU OF INVESTIGATION (FBI) ANNOUNCE JOINT PLAN TO ELIMINATE FBI NAME CHECK BACKLOGS**

On February 4, 2008, U.S. Citizenship & Immigration Services (CIS) confirmed certain procedural changes that will enable CIS adjudicators to approve some long-delayed Applications to Adjust Status (“green card applications”) that remain pending solely due to a delay in the clearance of the Applicant’s required FBI name check based on his or her name and fingerprints.

Pursuant to the procedural change, CIS adjudicators have been instructed to approve Applications to Adjust Status that are otherwise approvable if the FBI name check remains pending for more than 180 days. Applicant files will be retained at the CIS office adjudicating the application until the FBI name check clearance is received. Should information be revealed that would have subjected the applicant to potential denial, the CIS will determine whether rescission and removal proceedings should be initiated against the applicant.

As a follow-up to this initiative, the U.S. CIS and FBI recently announced a joint plan for elimination of name check backlogs. The plan involves prioritizing the oldest cases and has resulted in the CIS announcement that all name checks pending for more than four years have now been completed. The CIS and FBI anticipate clearance of the remaining name check backlog in accordance with the following schedule:

<b>Target Completion Date</b>	<b>Category</b>
May 2008	Name checks pending more than 3 years
July 2008	Name checks pending more than 2 years
November 2008	Name checks pending more than 1 year
February 2009	Name checks pending more than 180 days
June 2009	Ninety-eight percent of name checks to be completed within 30 days; remaining 2% to be completed within 90 days.

For more information on how this backlog elimination plan may impact a particular case, please contact your Tindall & Foster, P.C. immigration attorney. Your Tindall & Foster attorney will be able to assess whether additional follow-up efforts may be advisable in

connection with a particular application in order to facilitate adjudication in accordance with the target completion dates. As always, Tindall & Foster will continue to monitor changes in government procedures that impact adjudication time frames and will make new information available via the [Tindall & Foster web site](#) and in future Email Bulletins.