

U.S. Citizenship and Immigration Services' Response to The American Immigration Lawyers Association's April 7, 2021 Letter

COVID-19 Lockbox Filing Flexibilities

U.S. Citizenship and Immigration Services (USCIS) will offer limited time filing flexibilities to provide relief to certain applicants and petitioners impacted by delays at a USCIS lockbox. These flexibilities only apply to benefit requests submitted to a USCIS lockbox and not to a USCIS service center or field office.

Background

As a result of COVID-19 restrictions, an increase in filings, current postal service volume, and other external factors, some applicants and petitioners experienced a delay in receiving receipt or rejection notices after filing a benefit request with a USCIS lockbox.

The following temporary flexibilities are effective for 60 days from June 10, 2021 until August 9, 2021.

- Benefit requests that were submitted to a USCIS lockbox between Oct. 1, 2020, and April 1, 2021, and were rejected during that timeframe solely due to a filing fee payment that expired while the benefit request was awaiting processing, may be resubmitted with a new fee payment. If USCIS concurs that it has rejected the benefit request as a result of the delay, USCIS will deem the request to have been received on the initial filing date it was received and waive the \$30 dishonored check fee.

Individuals should include their A-number on the resubmitted benefit request in order to assist USCIS in the identification of their resubmission. To ensure that the request is properly addressed at intake, USCIS also asks those individuals resubmitting benefit requests to include a copy of the original rejection notice printed on blue paper and to write "AILA Request" on top of the resubmitted benefit request.

If USCIS does not agree that the rejection was solely due to a filing fee that expired while the benefit request was awaiting processing, USCIS will reject the benefit request resubmission. If individuals believe that USCIS has rejected a resubmission request in error, individuals should send an email explaining their situation to lockboxsupport@uscis.dhs.gov with "AILA Request Resubmission" in the subject line.

- USCIS will allow applicants and petitioners to submit documentation with a benefit request resubmission demonstrating that, because of the time that elapsed between when a benefit request was originally submitted to a USCIS lockbox and when USCIS rejected it, an applicant, co-applicant, beneficiary, or derivative has reached an age that makes them no longer eligible to file for the benefit requested. If USCIS agrees that the delayed rejection caused the person to be ineligible due to age, USCIS will accept the request and deem it to have been received on the date the initial benefit request was received. This flexibility does not apply to Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322.

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Applicants and petitioners can contact USCIS to verify previously filed benefit requests have not been rejected in error. If USCIS concurs, we may allow applicants and petitioners to resubmit an erroneously rejected benefit request and deem the benefit request to have been received on the date the initial benefit request was first received at a USCIS lockbox.

Additional information on these filing flexibilities, including how to request them, can be found online at [USCIS Response to COVID-19](#).