February 28, 2007

UPDATE

New Biometrics Process for Conditional Permanent Residents

U.S. Citizenship and Immigration Services (USCIS) announces the implementation of a new nationwide biometrics process for conditional permanent residents who file Form I-751, Petition to Remove Conditions on Residence. The new process is effective immediately. Under the old process, following the approval of Form I-751, an approval notice was issued instructing the applicant to appear at a USCIS District Office for processing of his or her Form I-551, Permanent Resident Card ("Green Card"). The approved applicant would manually submit passport-style photographs, index fingerprints, and a signature on Form I-89, I-551 or I-586 Card Data Collection Form, for creation of his or her permanent resident card.

The new process, as authorized in 71 Federal Register 15469 (March 28, 2006), requires all conditional permanent residents to appear at a USCIS Application Support Center (ASC) after filing Form I-751 in order to have their biometrics electronically captured. An ASC appointment notice will automatically be sent by mail to the applicant with the specific date, time and location for biometric processing. Biometric processing includes the electronic capture of an applicant's photograph, signature, index fingerprint and ten-print fingerprints. The photograph, signature and index fingerprint are used to generate the lawful permanent resident card, if the Form I-751 is approved. The ten-print fingerprints are captured for the purpose of conducting a criminal background check and are processed for applicants between the ages of 14 and 79. Applicants (except for "overseas applicants" described below) will no longer be required to submit passport-style photographs, since photographs will be captured at an ASC.

USCIS requires all conditional permanent residents, including those residing overseas pursuant to military or government orders, to submit the standard base petition fee of $205 and a biometric services fee of $70. Following the submission of all applicable fees, a scheduled appearance at an ASC and the approval of Form I-751, applicants will be issued a permanent resident card by mail. The process for "applicants overseas due to military or government orders" is different and is described below.

It is important to note that each conditional resident dependent eligible to be included on the principal applicant's Form I-751 and listed under Part 5 of Form I-751, must submit an additional biometric services fee of $70. This includes dependents residing overseas pursuant to military or government orders, regardless of age.

Purpose of The New Process

This new process will enhance security and enable USCIS to provide better customer service. Elimination of the manual processing of Form I-89 will reduce the potential for fraud by electronically verifying the identity of an applicant through his or her unique biometrics. An applicant can now check his or her case status on-line and minimize visits to USCIS Field Offices. By using electronic fingerprint technology, rather than manually capturing fingerprints, USCIS will reduce processing times for criminal background checks. Efficiency in case processing will increase, and applicants will receive their permanent resident cards in a more timely manner.

Exception For Conditional Resident Applicants and Conditional Resident Dependent Children Residing Overseas Due to Military or Government Orders

Since USCIS does not have ASCs overseas, conditional resident applicants and their conditional resident dependents will not receive an ASC appointment notice. In order for USCIS to conduct biometric processing of these conditional residents residing overseas and to generate a permanent resident card for approved applicants, principal applicants and their conditional resident dependent/s between the ages of 14 and 79 are required to submit two fingerprint cards (Form FD-258). In addition, all applicants and eligible dependents, regardless of age, are required to submit two passport-style photos. As indicated on the instructions of Form I-751, both items are required at the time of filing the form. Conditional resident applicants currently residing abroad pursuant to military or government orders must have their fingerprints taken at a U.S. Military Installation, Overseas USCIS Office, U.S. Consulate, or U.S. Embassy. In order for USCIS to identify filings based on military or government orders, applicants are required to indicate on top of Form I-751, "**ACTIVE MILITARY or GOVERNMENT ORDERS**", and submit a copy of their current military or government orders. USCIS customers inquiring about their pending petitions may use the following two methods to receive information:

- Call the National Customer Service Center (NCSC) at 1-800-375-5283.
- Use the USCIS web-based Case Status Service located at: http://www.uscis.gov/

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