

# Immigration Information

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## 10.1 Receipting and Acceptance Processing.

(a) Receipting of Applications and Petitions at Service Centers. The procedural steps below pertain to applications and petitions in general. Since all service centers have contractor personnel handling mail data entry, this segment deals with receipting requirements only in very general terms. The service center specific, detailed, written operating procedures (SOPs) which describe the functions to be performed by contractor personnel within the scope of the support services contract. These SOPs are included as appendices to this manual. Proceed to the instructions for any individual form type to review the special instruction form.

(1) Open In-coming Mail; Deposit Fees. Since in-coming mail often contains fees, the in-coming mail should be opened in a secure area, with access limited to specified personnel. Mail should be opened the same day it is received. When this is not possible, arrangements must be made to record the actual date on which the mail was received from the post office or private courier so that the receipt date can later be recorded on the application or petition itself. The receipt date is important to ensure fair, chronological processing and to enable effective case tracking. Most importantly, the receipt date may be critically important in determining an applicant's eligibility for a particular benefit. It is important that all mail be opened; fees removed, logged and deposited; and initial data entry completed as soon as possible.

(2) Screen for Applications and Petitions Which Must Be Rejected. No application form may be accepted for processing unless it is completed and signed and the proper fee submitted [See **8 CFR103.2(a)**]. If an application is not submitted subsequent to receipting, a check submitted for payment is returned as uncollectible, the receipting date is forfeited. Rejected applications receive an "R" or reject number in the CLAIMS tracking system. Because rejection occurs before completion of CLAIMS data entry, the system maintains only skeletal information concerning rejected applications and petitions. If a rejected application is later resubmitted, the applicant must process the case as if it had never been submitted.

Although the instructions for each type of application or petition specify where that application or petition should be submitted, submission to an incorrect office (or incorrect post office box where more than one office is located) by a service center to sort cases by application type) is not a reason for rejection. Such cases should be receipted and routed to the appropriate office for processing.

(3) Affix Bar Code. Affix the CLAIMS bar code receipt number on the application and forward the case for data entry and file creation.

Form	New, Revised or Deleted	Internet Link
I-129		<a href="http://uscis.gov/graphics/formsfee/forms/i-129.htm">http://uscis.gov/graphics/formsfee/forms/i-129.htm</a>
I-129F		<a href="http://uscis.gov/graphics/formsfee/forms/i-129f.htm">http://uscis.gov/graphics/formsfee/forms/i-129f.htm</a>

I-129S		<a href="http://uscis.gov/graphics/formsfee/forms/i-129s.htm">http://uscis.gov/graphics/formsfee/forms/i-129s.htm</a>
I-129W	Delete Form	
I-130		<a href="http://uscis.gov/graphics/formsfee/forms/i-130.htm">http://uscis.gov/graphics/formsfee/forms/i-130.htm</a>
I-131		<a href="http://uscis.gov/graphics/formsfee/forms/i-131.htm">http://uscis.gov/graphics/formsfee/forms/i-131.htm</a>
I-140		<a href="http://uscis.gov/graphics/formsfee/forms/i-140.htm">http://uscis.gov/graphics/formsfee/forms/i-140.htm</a>
I-360		<a href="http://uscis.gov/graphics/formsfee/forms/i-360.htm">http://uscis.gov/graphics/formsfee/forms/i-360.htm</a>
I-485		<a href="http://uscis.gov/graphics/formsfee/forms/i-485.htm">http://uscis.gov/graphics/formsfee/forms/i-485.htm</a>
I-485 Sup A	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485supa.htm">http://uscis.gov/graphics/formsfee/forms/i-485supa.htm</a>
I-485 Sup B	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485supb.htm">http://uscis.gov/graphics/formsfee/forms/i-485supb.htm</a>
I-485 Sup C	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485supc.htm">http://uscis.gov/graphics/formsfee/forms/i-485supc.htm</a>
I-485 Sup D	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485d.htm">http://uscis.gov/graphics/formsfee/forms/i-485d.htm</a>
I-526		<a href="http://uscis.gov/graphics/formsfee/forms/i-526.htm">http://uscis.gov/graphics/formsfee/forms/i-526.htm</a>
I-539		<a href="http://uscis.gov/graphics/formsfee/forms/i-539.htm">http://uscis.gov/graphics/formsfee/forms/i-539.htm</a>
I-539 Sup A	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-539a.htm">http://uscis.gov/graphics/formsfee/forms/i-539a.htm</a>
I-589		<a href="http://uscis.gov/graphics/formsfee/forms/i-589.htm">http://uscis.gov/graphics/formsfee/forms/i-589.htm</a>
I-730		<a href="http://uscis.gov/graphics/formsfee/forms/i-730.htm">http://uscis.gov/graphics/formsfee/forms/i-730.htm</a>
I-751		<a href="http://uscis.gov/graphics/formsfee/forms/i-751.htm">http://uscis.gov/graphics/formsfee/forms/i-751.htm</a>
I-765		<a href="http://uscis.gov/graphics/formsfee/forms/i-765.htm">http://uscis.gov/graphics/formsfee/forms/i-765.htm</a>
I-765D	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-765d.htm">http://uscis.gov/graphics/formsfee/forms/i-765d.htm</a>
I-817		<a href="http://uscis.gov/graphics/formsfee/forms/i-817.htm">http://uscis.gov/graphics/formsfee/forms/i-817.htm</a>
I-821		<a href="http://uscis.gov/graphics/formsfee/forms/i-821.htm">http://uscis.gov/graphics/formsfee/forms/i-821.htm</a>
I-821 A Pkg.	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-821Apkg.htm">http://uscis.gov/graphics/formsfee/forms/i-821Apkg.htm</a>
I-824		<a href="http://uscis.gov/graphics/formsfee/forms/i-824.htm">http://uscis.gov/graphics/formsfee/forms/i-824.htm</a>
I-829		<a href="http://uscis.gov/graphics/formsfee/forms/i-829.htm">http://uscis.gov/graphics/formsfee/forms/i-829.htm</a>
N-400		<a href="http://uscis.gov/graphics/formsfee/forms/n-400.htm">http://uscis.gov/graphics/formsfee/forms/n-400.htm</a>

(b) Receipting of Applications and Petitions at Local Offices. The following local office receipt processing procedures pertain to applications and petitions in general. Some field offices have contractor personnel who perform the receipting functions; in other offices USCIS employees handle all mail, file and receipting activities. This section applies generally to all field offices, but does not supersede the specific written procedures followed by contractor personnel engaged in receipting activities or local procedures in place for USCIS personnel receipting applications and petitions. In field offices cases may be filed either in person at an information counter or drop box, or by mail. Cases which are mailed or left in a drop box are handled in a manner similar to center cases, as described above. Cases which are filed at an information counter are generally reviewed by an information officer prior to acceptance. The information officer may screen a case more thoroughly, check for required documentation and basic eligibility, in addition to the basic screening for signature and correct completion. At the end of this paragraph is a list, by form number, of applications and petitions which require special processing. Click on any individual form number to jump to the special instructions for that form.

**Note:** If a completed application is signed and the fee is attached or waived, but the information officer missing documentation or believes the applicant is ineligible for the benefit sought, the case *must be a* the applicant insists on filing. The information officer should explain what is missing or why the applicant is ineligible and suggest an appropriate remedy. However, if the applicant remains insistent on filing, the case *must be* accepted and a note attached for the adjudicator explaining the deficiency.

Form	New Revised or Deleted	URL Address and Links
I-17		<a href="http://uscis.gov/graphics/formsfee/forms/i-17.htm">http://uscis.gov/graphics/formsfee/forms/i-17.htm</a>
I-90		<a href="http://uscis.gov/graphics/formsfee/forms/i-90.htm">http://uscis.gov/graphics/formsfee/forms/i-90.htm</a>
I-102		<a href="http://uscis.gov/graphics/formsfee/forms/i-102.htm">http://uscis.gov/graphics/formsfee/forms/i-102.htm</a>
I-130		<a href="http://uscis.gov/graphics/formsfee/forms/i-130.htm">http://uscis.gov/graphics/formsfee/forms/i-130.htm</a>
I-131 (Parole Request)		<a href="http://uscis.gov/graphics/formsfee/forms/i-131.htm">http://uscis.gov/graphics/formsfee/forms/i-131.htm</a>
I-191		<a href="http://uscis.gov/graphics/formsfee/forms/i-191.htm">http://uscis.gov/graphics/formsfee/forms/i-191.htm</a>
I-212		<a href="http://uscis.gov/graphics/formsfee/forms/i-212.htm">http://uscis.gov/graphics/formsfee/forms/i-212.htm</a>
I-360		<a href="http://uscis.gov/graphics/formsfee/forms/i-360.htm">http://uscis.gov/graphics/formsfee/forms/i-360.htm</a>
I-485		<a href="http://uscis.gov/graphics/formsfee/forms/i-485.htm">http://uscis.gov/graphics/formsfee/forms/i-485.htm</a>
I-485 Sup A	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485supa.htm">http://uscis.gov/graphics/formsfee/forms/i-485supa.htm</a>
I-485 Sup B	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485supb.htm">http://uscis.gov/graphics/formsfee/forms/i-485supb.htm</a>
I-485 Sup C	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485supc.htm">http://uscis.gov/graphics/formsfee/forms/i-485supc.htm</a>
I-485 Sup D	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-485d.htm">http://uscis.gov/graphics/formsfee/forms/i-485d.htm</a>
I-566		<a href="http://uscis.gov/graphics/formsfee/forms/i-566.htm">http://uscis.gov/graphics/formsfee/forms/i-566.htm</a>
I-600		<a href="http://uscis.gov/graphics/formsfee/forms/i-600.htm">http://uscis.gov/graphics/formsfee/forms/i-600.htm</a>
I-600A		<a href="http://uscis.gov/graphics/formsfee/forms/i-600a.htm">http://uscis.gov/graphics/formsfee/forms/i-600a.htm</a>
I-601		<a href="http://uscis.gov/graphics/formsfee/forms/i-601.htm">http://uscis.gov/graphics/formsfee/forms/i-601.htm</a>
I-612		<a href="http://uscis.gov/graphics/formsfee/forms/i-612.htm">http://uscis.gov/graphics/formsfee/forms/i-612.htm</a>
I-765		<a href="http://uscis.gov/graphics/formsfee/forms/i-765.htm">http://uscis.gov/graphics/formsfee/forms/i-765.htm</a>
I-765D	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/i-765d.htm">http://uscis.gov/graphics/formsfee/forms/i-765d.htm</a>
I-821		<a href="http://uscis.gov/graphics/formsfee/forms/i-821.htm">http://uscis.gov/graphics/formsfee/forms/i-821.htm</a>
N-300		<a href="http://uscis.gov/graphics/formsfee/forms/n-300.htm">http://uscis.gov/graphics/formsfee/forms/n-300.htm</a>
N-336		<a href="http://uscis.gov/graphics/formsfee/forms/n-336.htm">http://uscis.gov/graphics/formsfee/forms/n-336.htm</a>
N-410 (part of N-400 Process)	Revised Form Name	<a href="http://uscis.gov/graphics/formsfee/forms/n-400.htm">http://uscis.gov/graphics/formsfee/forms/n-400.htm</a>

N-455 (part of N-400 Process)	Revised Form Name	<a href="http://uscis.gov/graphics/formsfee/forms/n-400.htm">http://uscis.gov/graphics/formsfee/forms/n-400.htm</a>
N-470		<a href="http://uscis.gov/graphics/formsfee/forms/n-470.htm">http://uscis.gov/graphics/formsfee/forms/n-470.htm</a>
N-565		<a href="http://uscis.gov/graphics/formsfee/forms/n-565.htm">http://uscis.gov/graphics/formsfee/forms/n-565.htm</a>
N-600		<a href="http://uscis.gov/graphics/formsfee/forms/n-600.htm">http://uscis.gov/graphics/formsfee/forms/n-600.htm</a>
N-600K	New Form	<a href="http://uscis.gov/graphics/formsfee/forms/n-600k.htm">http://uscis.gov/graphics/formsfee/forms/n-600k.htm</a>
N-643	Delete Form	
N-644		<a href="http://uscis.gov/graphics/formsfee/forms/n-644.htm">http://uscis.gov/graphics/formsfee/forms/n-644.htm</a>

(c) Initial Evidence Requirements. Before an application may be adjudicated, certain requirements must [see **8 CFR 103.2(b)**]. Specific requirements necessary for proper filing of each type of application or petition are included in the instruction sheet for that application or petition. Every application, regardless of the beneficiary, must include complete information in all required blocks, the application must be signed and the required fee must be attached (unless the fee is waived). Applications which lack these initial requirements are "rejected" and denied. Applications which are lacking in other specific requirements may be accepted, but they will later be returned for submission of additional evidence. Failure to submit such required additional evidence will result in denial or termination for lack of prosecution, according to the circumstances.

(d) Data Entry and File Management. After receipting new cases are sent for data entry, central index lookout checks, and file creation or requests. The following general steps should occur:

(1) The application and supporting documents are housed in a file jacket. Offices using the CLAIMS system label the file jacket with a bar code label bearing the CLAIMS receipt number. Required data is entered and completed. Data elements required for each type of application are prompted by the CLAIMS receipt screen for the specific application/petition type. [See CLAIMS Users Manual for details.] Relating files for family members or group members, should be bundled together.

(2) CLAIMS will automatically search for and request any existing file on the applicant or beneficiary on a petitioner or other related party. Such requests must be manually initiated by the adjudicating officer if she deems it appropriate. Attach relating files to the receipt file prior to forwarding the case for adjudication. Forward cases not requiring a new or requested "A" file prior to adjudication immediately after data entry.

**Note:** A new "A" file is opened only for adjustment of status cases (I-485) and asylum cases (I-589) when such file already exists. An "A" file may be later created for other types of cases in certain instances, such as when a case is being denied and removal proceedings are being initiated. Adjudication of a case using a (temporary) file may proceed if a permanent file cannot be located. Generally, if a permanent file cannot be located within 90 days, the temporary file is used. A note should be placed in the file by the adjudicating officer whenever such action is required.

## 10.2 Record of Proceeding.

(a) Definition. A record of proceeding is the organized, official material constituting the record of any application, petition, hearing or other proceeding before USCIS. USCIS has specifically prescribed a format for a record of proceeding and for identifying record and non-record material. [See Chapter 3(E) of the Record Operations Handbook.] A record of proceedings may be housed in an "A" file or other agency file or it may be housed in a separate file jacket for consideration by the immigration court or an appellate office on appeal.

certification or motion. Responsibility for maintaining a record of proceeding lies with the officer to whom it is assigned.

(b) Exclusion of Restricted Material from a Record of Proceeding. A director or officer-in-charge may not view and base a decision on information not contained in the record and not made available for inspection by the applicant or petitioner, provided that the regional director has determined that such material is relevant information classified under Executive Order No. 11652 (37 FR 5209; March 10, 1972) requiring protection from unauthorized disclosure in the interest of national security. Such information will fall into one of the following categories:

- Classified material
- Information confidentially furnished
- Security report from the FBI, other security agencies, or any report from a Government agency containing information with a restriction as to its use.

Such material must be maintained separately from the rest of the record, in the manner described in the Operations Handbook, Chapter 3(E)(4).

If the regional director determines that disclosure of information within these categories would be prejudicial to the public interest, safety, or security, a memorandum to that effect must be included in the record of proceeding. Such memorandum should not contain information which would make the memorandum itself classified information. [CFR 103.2(b)(16).]

(c) Investigative Reports. [(b)(2) or (b)(7)(E)]

(d) Removing Record Material. If it becomes necessary to remove material from a record of proceeding during or following that proceeding, a sheet of plain paper must be inserted in the record in its place. On the paper a description of the material removed, the reason for removal and the location where the material was filed, as well as the name of the employee and date of action.

(e) Availability of Records for Review. Upon request, a record of proceeding shall be made available to the applicant, petitioner and their authorized representatives who have properly filed Form G-28. Appropriate action must be taken to ensure that any non-record materials are not compromised. To ensure this, personnel must remove either the record or the non-record portion of the file from the file jacket.

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