

Wait Times for Immigration Benefits Processing in the U.S.

Little attention is paid in the media or in Congress to the significant wait times experienced by individuals seeking to immigrate legally, be hired lawfully, or become U.S. citizens. In analyzing wait times for 2004-2006, NFAP has concluded that while improvement is evident, overall wait times are simply too long for both employers and individuals. An application for a skilled worker in the U.S. seeking to gain permanent residence through an “adjustment of status” (I-485) application takes nearly three years in New York (140 weeks), two years in Miami (113 weeks), and more than a year in Chicago (69 weeks) and Dallas (59 weeks). Compared with March 2004, these wait times are longer or show no improvement in 7 of the nation’s largest cities, with the exception of Los Angeles. Compared to two years ago, naturalization times have improved in Washington, D.C., San Francisco, New York, Los Angeles, and Dallas, but still take from 39 weeks (in Miami) to 19 weeks in Washington. The wait time for appeals of decisions (through the Administrative Appeals Office) are so long for certain employment-related categories, that it undermines the purpose of filing an appeal, which is to seek redress of a possible wrong decision. It takes more than a year for appeals of decisions related to the granting of an H-1B petition (13 months) or an immigrant petition for a skilled or professional worker (15 months). To sponsor spouses, children, or parents for immigration, U.S. Citizens must file a petition with the U.S. Citizenship and Immigration Services. Such petitions take 26 weeks at the California Service Center, an improvement from 55 weeks in 2004, and 15 weeks at the Vermont Service Center, up from 6 weeks in 2005, but down from 46 weeks in 2004. Processing for employers remains problematic. Employers hiring skilled professionals on H-1B visas often pay a \$1,000 premium processing fee because typical wait times are from 8 to 11 weeks (for change of status/extension of stay in the U.S.) at the various Service Centers, which actually represents a significant improvement from 2004 for all but the Nebraska Service Center. For L-1 petitions for intracompany transfers, the wait is 4 to 5 weeks at all four Service Centers. Processing immigrant petitions for skilled workers (I-140) is less of a priority today at USCIS, since there is a 5-year wait for visa processing abroad for this category due to an insufficient employment-based immigrant quota.

Wait Times in Weeks at Regional Service Centers

	I-130 Imm. Petition For US Cit. Parent, Spouse or Child			I-140 Imm. Petition for Skilled Worker			L-1 (I-129) Petition for Intracompany Transfer			H-1B (I-129) Petition for Skilled Temp. Worker		
	2006	2005	2004	2006	2005	2004	2006	2005	2004	2006	2005	2004
	California	26	5	55	22	28	44	5	9	5	9	9
Nebraska	CSC*	75	86	21	80	41	4	3	3	11	10	4
Texas	CSC*	28	99	10	9	54	4	3	4	8	4	29
Vermont	15	6	46	17	11	45	5	2	6	9	4	25

Note: All times are calculated in weeks and rounded down.

* The CA Service Center (CSC) began processing I-130s for the NE and TX Service Centers in 2006.

** All wait times are based on figures published by USCIS during the month of March, 2006-2004.

Wait Time in Weeks for Individuals in Selected Cities

	I-485 Adjustment of Status			N-400 Naturalization		
	2006	2005*	2004	2006	2005*	2004
	Chicago	69	N/A	102	25	N/A
Dallas	59	N/A	52-65	31	N/A	42-52
Los Angeles	22	N/A	51	33	N/A	38-51
Miami	113	N/A	60-77	39	N/A	26-52
New York	140	N/A	102+	30	N/A	51
San Francisco	34	N/A	30-34	27	N/A	38
Wash., D.C.	47	N/A	34-51	19	N/A	51-60

Note: All times are calculated in weeks and rounded down.

* 2005 data is unavailable.

Appeals

H-1B	56
Imm., Extraordinary Ability	26
Imm., Skilled/Prof. Worker	64

*Source: Administrative Appeals Office.
as of March 23, 2006