Mobility: Immigration alert

March 2023

United States

USCIS Announces Mail Delivery Process for Receiving ADIT (I-551) Stamp

Executive summary

On 16 March 2023, U.S. Citizenship and Immigration Services (USCIS) announced that lawful permanent residents (LPRs) may receive temporary evidence of their LPR status in the form of an Alien Documentation, Identification, and Telecommunication (ADIT) stamp (also known as an I-551 stamp) by mail rather than scheduling an appointment at a local USCIS field office.

When LPRs require such evidence, they may call the USCIS Contact Center and USCIS will verify whether the LPR meets the criteria for receiving an I-94 with an I-551 stamp without requiring an in-person interview. The officer will consider whether the LPR's identity can be confirmed, the LPR is able to receive UPS or FedEx express mail at their address, and the LPR has a useable photo in USCIS's systems.

Background and analysis

The Form I-551 is the identification number for a permanent resident card (green card). It is proof of an LPR's status to live and work permanently in the United States.

If an LPR's green card is lost, stolen, or destroyed, they may file Form I-90, Application to Replace Permanent Resident Card (Green Card), to replace their green card. In the interim, if the LPR requires proof of valid permanent resident status while awaiting issuance of the replacement card, they may rely on the I-551 stamp instead. Obtaining the I-551 stamp typically requires LPRs to call the USCIS

Contact Center to schedule an interview. Thereafter, they would appear in-person at a USCIS office and explain why they urgently require proof of permanent resident status, such as to accept employment or re-entry after travel abroad of less than one (1) year.

LPRs are entitled to evidence of status and may require temporary evidence of their status in the form of an I-551 stamp if:

- They do not have their Green Card; or
- ► Their Form I-90, Application to Replace Permanent Resident Card (Green Card), Form I-751, Petition to Remove Conditions on Residence, or Form N-400 Application for Naturalization, is still pending adjudication and their Green Card and extension notice have expired

What this means

If the in-person appointment is not required, USCIS will proceed with mailing the LPR a Form I-94 with the I-551 stamp. The Form I-94 with the I-551 stamp is an eligible List A document that may be presented to an employer as proof of identity and work authorization for purposes of completing a Form I-9, valid until the expiration date on the I-551 stamp or one year after the issuance date if the stamp does not contain an expiration date. Examples of how the documents will look if issued in-person v. via mail can be found here: Temporary Lawful Permanent Residents (LPR) Status Documentation | USCIS.



EY Law LLP

The new process will allow eligible LPRs to receive evidence of their LPR status without needing to appear for an in-person interview, which in turn will reduce the burden on LPRs and increase the availability of USCIS resources at local offices.

We will continue to monitor and review future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional.

George Reis, Managing Partner +1 416 943 2535 george.reis@ca.ey.com

Batia Stein, Partner +1 416 943 3593 batia.j.stein@ca.ey.com

Roxanne Israel, Partner +1 403 206 5086 roxanne.n.israel@ca.ey.com

Marwah Serag, Partner +1 416 943 2944 marwah.serag@ca.ey.com Alex Israel, Partner +1 416 943 2698 alex.d.israel@ca.ey.com

Christopher Gordon, Partner +1 416 943 2544 christopher.d.gordon@ca.ey.com

Nadia Allibhai, Partner +1 613 598 4866 nadia.allibhai@ca.ey.com

Jonathan Leebosh, Partner +1 604 899 3560 jonathan.e.leebosh@ca.ey.com

Author: Nobesh Malakooti, Manager, Senior Associate Attorney +1 416 943 7159 nobesh.malakooti@ca.ey.com

EY | Building a better working world

EY exists to build a better working world, helping create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

Follow up on Twitter @EYCanada

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

About EY Law LLP

EY Law LLP is a Canadian law firm, affiliated with Ernst & Young LLP in Canada. Both EY Law LLP and Ernst & Young LLP are Ontario limited liability partnerships. EY Law LLP has no association or relationship with Ernst & Young LLP in the US, or any of its members. Ernst & Young LLP in the US does not practice law, nor does it provide immigration or legal services. For more information, please visit EYLaw.ca.

© 2023 Ernst & Young LLP. All Rights Reserved. A member firm of Ernst & Young Global Limited.

EYG no. 002582-23Gbl

This publication contains information in summary form, current as of the date of publication, and is intended for general guidance only. It should not be regarded as comprehensive or a substitute for professional advice. Before taking any particular course of action, contact EY or another professional advisor to discuss these matters in the context of your particular circumstances. We accept no responsibility for any loss or damage occasioned by your reliance on information contained in this publication.

ey.com/en_ca