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# **Office of the Citizenship and Immigration Services Ombudsman**



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# **The CIS Ombudsman's Webinar Series: 2021 Annual Report**

**July 14, 2021**

# Disclaimer

This webinar material is intended solely as informational. It is not intended to, does not, and may not be relied upon to create or confer any right(s) or benefits(s), substantive or procedural, enforceable at law by any individual or other party in benefit applications before DHS, in removal proceedings, in litigation with the United States, or in any other form or manner. This webinar material does not have the force of law, or of a DHS directive.

# Questions

- Submit written questions to us through the “Q&A box” that appears to the right of the slide deck on your screen.
- We will review every question submitted and determine if we can address concerns arising from the stakeholder community.
- Due to time constraints, we may not be able to answer every question.
- If you are a member of the media, please reach out to DHS Public Affairs with any inquiries.

# The CIS Ombudsman's Annual Report to Congress

- Under section 452(c) of the Homeland Security Act of 2002, the CIS Ombudsman must submit an Annual Report to Congress by June 30 of each year.
- The CIS Ombudsman's Annual Report to Congress focuses on:
  - The CIS Ombudsman's mission and services;
  - USCIS programmatic and policy challenges during the reporting period; and
  - Pervasive and serious problems, recommendations, and best practices in the administration of our immigration laws.



## The Pandemic and its Impact on USCIS' Operations

- Reviews USCIS actions to mitigate the impact of the pandemic and to identify “lessons learned.”
- Looks at reductions in service, flexibilities undertaken by USCIS, and the need to balance workloads with resources.
- Offers ideas that can benefit the agency as normal operations return.

# Recommendations

- The agency cannot rely solely on fees.
- Continue pandemic best practices into the post-pandemic future.
- The agency needs to develop and implement a strategic backlog reduction plan.
- USCIS should not divert significant money from the agency's digital strategy.
- USCIS should engage in a comprehensive education campaign on its e-tools.
- Getting information to the public is critical.

# Issuance and Coordination of Notices to Appear (NTAs)

- Examines ongoing systemic issues and proposes specific items that USCIS should consider as it works to finalize updated NTA guidance.
- Offers suggestions for coordination among USCIS, ICE, and EOIR.
- Look at options for more efficiency in moving cases forward.





# Recommendations

- USCIS should improve coordination and reconsider its role in the service of NTAs.
  - However, if resource constraints prevent ICE from subsuming the NTA workload, the CIS Ombudsman recommends the following:
    - Develop guidance for all directorates to define when in-person service is not practicable.
    - Serve NTAs by certified mail.
    - Update the appropriate case management system to reflect that an NTA has been issued and, if applicable, when it has been returned as undeliverable.
- USCIS needs to recommit to creating a fair and just process.
- USCIS needs to review additional ways to increase administrative efficiency.



# Petitions for Removal of Conditions for Conditional Permanent Residents

- Re-examines the creation of the I-751 requirement by Congress.
- Looks at the reasons for backlogs in recent years.
- Makes suggestions to improve processing and for extending validity of interim evidence of Conditional Permanent Resident (CPR) status.



# Recommendations

- Lengthen the validity period for temporary evidence of CPR status to limit the need to contact USCIS to schedule in-person appointments.
- Revise interview waiver criteria to promote the effective use of the field offices' resources.
- Post processing times for individual field offices, not as an aggregate, to better inform petitioners on their real wait times.
- Initiate further improvements to Forms I-751/N-400 processing to increase efficiencies.



## Medical Disability Waiver Process

- Analyzes naturalization from the perspective of a vulnerable population.
- Reviews the problems and challenges associated with the medical disability waiver process.
- Offers recommendations for making the processing of such waivers more consistent and ensuring equal access to citizenship.

# Recommendations

- Better educate stakeholders on the availability of online filing of the Form N-400 with a disability waiver request to streamline submission and encourage online filers.
- Pre-adjudicate concurrently filed Forms N-648 at the National Benefits Center (NBC) to foster consistency and efficiency.
- Increase USCIS officers' training to improve consistency of adjudication.
- Expand the list of authorized medical professionals to raise the quality of information provided.
- Increase outreach to the public to improve outcomes.

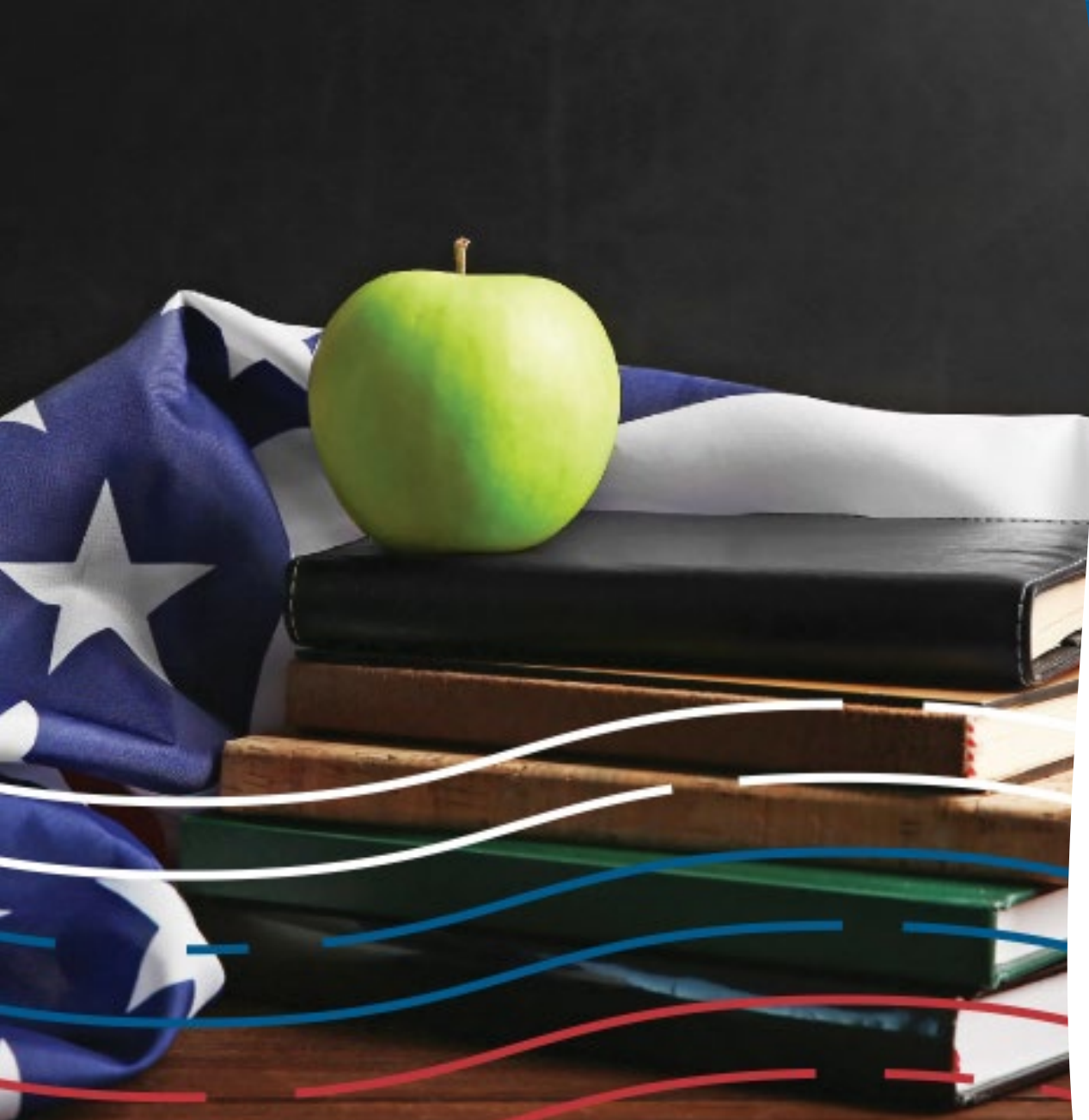


## Digital Strategy

- Reviews agency accomplishments and areas for improvement.
- Advocates for continuing devotion of resources to the digital strategy.
- Recommends interim and long-term solutions, including public outreach, development of additional online forms, and creating an online portal for Form G-28.

# Recommendations

- Implement outreach and education to encourage customers to file online.
- Establish relationships with third-party case-management and forms vendors.
- Prioritize the development of high impact/volume immigration benefit filings.
- Recommit to helping non-English proficient customers.
- Consider interim measures. Among such interim measures that would achieve identifiable goals during the transition:
  - Increase use of electronic communications (email with attachments if possible) between officers and benefit filers, including their legal representatives.
  - Establish a central portal for Form G-28, Notice of Entry of Appearance as Attorney or Representative, that allows legal representatives to submit such notices electronically.
  - Expand access to filing fee payments by credit card to all forms submitted online or through USCIS' lockboxes.



# International Student Programs

- Reviews immigration issues from the perspective of the Designated School Official (DSO) and the students advised by them.
- Recommends better collaboration through the establishment of a DHS working group, enhanced training of DSOs and eliminating communications barriers.





# Recommendations

- Foster collaboration through an effective DHS working group involving headquarters and field participants.
- Enhance training for DSOs to improve understanding of advanced issues and fraud.
- Eliminate communication barriers between DSOs and USCIS.





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Question and Answer  
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