

Office of the Citizenship and
Immigration Services Ombudsman

Working to improve the immigration benefits process



The CIS Ombudsman's Webinar Series: 2023 Annual Report



July 11, 2023

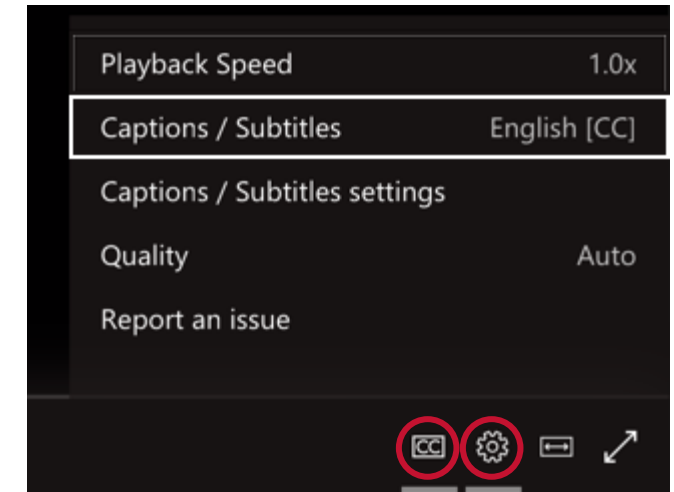
Working to improve the immigration benefits process



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- The materials from today's webinar will be posted online on our Public Engagement page (<https://www.dhs.gov/outreach>):
 - Presentation
 - Questions and answers
 - Readout summarizing the webinar

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Nathan Stiefel Acting CIS Ombudsman

Working to improve the immigration benefits process




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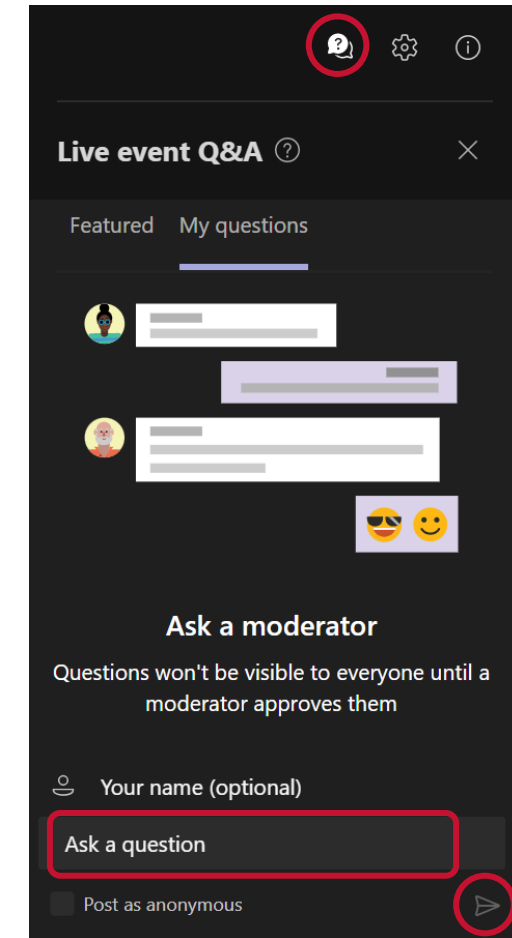


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- If you are a member of the media, please reach out to the DHS Office of Public Affairs at MediaInquiry@hq.dhs.gov with any inquiries.
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- Submit written questions to us through the Q&A panel that appears to the right side of your screen.
- Select the **Q&A icon**  at the top of your screen to open or close the Q&A panel.
- We will review every question submitted and determine if we can answer it today.





- Nathan Stiefel, acting CIS ombudsman
- Rachel Ellis, assistant chief of Public Engagement
- Elissa McGovern, chief of Policy
- Ciro Parascandola, assistant chief of Policy (Moderator)
- Edgar Muñoz, policy analyst
- Fred Troncone, senior advisor
- Fatimah Mateen, senior advisor
- Michael Graham, senior advisor
- Monica Toro, senior advisor



- 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.



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Backlogs in the long term: 2022 in review



- USCIS faced significant new tasks, creating processing and operational challenges.
- In 2022, USCIS prioritized certain adjudications, reducing some processing times.
- However, backlogs increased in other areas and were exacerbated by external events.
- CIS Ombudsman received record-high numbers of requests for case assistance.
- Events of 2022 will impact USCIS in the long-term.



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Questions: Backlogs



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The growing humanitarian mission of USCIS and its impact on future workloads

Processes for
**Cubans, Haitians,
Nicaraguans, and Venezuelans**



The growing humanitarian mission of USCIS and its impact on future workloads



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- Expanded use of humanitarian parole programs has downstream impacts on USCIS.
- Humanitarian parole does not provide a way to remain in the country permanently.
- Parolees will likely seek additional services and immigration benefits, including pathways to more permanent statuses.
- Competing priorities create operational bottlenecks and unprecedented backlogs.
- Clear communications strategies are needed for each parole program.



- Streamlined mechanisms and approaches for humanitarian parole workloads.
- Revise operational approaches and flexibilities in processing work authorizations.
- Communications strategies for each parole program.
- Establish specific asylum processing groupings for people with humanitarian parole.
- Continue to leverage the need for background and security checks.
- Continuing appropriated funds to address additional humanitarian parole workloads.



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Processes for
**Cubans, Haitians,
Nicaraguans, and Venezuelans**



Questions:

Humanitarian mission



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The use of requests for evidence (RFEs) in L-1 petitions



- RFEs are used to request missing initial or additional evidence from benefit requestors.
- However, unnecessary RFEs can delay cases and result in unnecessary costs.
- USCIS generally uses the “preponderance of evidence” legal standard of review.
- USCIS’ deference policy excludes L-1 petition extension filings where the previous approval was by the Department of State.
- USCIS does not currently have a systematic RFE quality assurance program.



- Training on applying the legal standard of “preponderance of evidence.”
- Annual training on the applicable regulations for L-1 extension cases.
- Streamline the L-1 extension petition process when the case involves the same facts.
- Update RFE templates and systems to ensure precise and easily understandable RFEs.
- Establish a robust quality assurance program for RFEs.



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Questions: Requests for evidence



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Temporary Protected Status (TPS):

The impact and challenges of increased demand

TPS: The impact and challenges of increased demand



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- 16 countries have TPS designations. USCIS anticipates receiving a record number of TPS applications this fiscal year.
- Increased filings have led to increased processing times, diminishing USCIS' ability to fulfill the intent of the TPS program.
- While TPS is temporary, many recipients have been in the U.S. for decades and lack a pathway to lawful permanent resident status.
- Applicants with fewer resources face barriers to protection and benefits.



- Post processing times for each TPS population.
- Educate employers and benefit-granting agencies on verifying employment eligibility and proof of status of TPS beneficiaries.
- Eliminate the separate EAD application for TPS applicants.
- Consider pursuing legislative changes to extend TPS designation periods.
- Increase case processing through technological solutions.



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Questions: Temporary Protected Status



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**A look back at USCIS'
unprecedented
Fiscal Year (FY) 2022 efforts
to use all employment-based
immigrant visas**

A look back at USCIS' unprecedented FY 2022 efforts to use all employment-based immigrant visas



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- USCIS faced a tall order: issuing its share of 280,000 employment-based immigrant visas in FY 2022.
- The agency made the use of these visa numbers a priority, employing several innovations to ensure maximum usage.
- That usage came at a price: prioritizing employment-based adjustments meant de-prioritizing other applications.
 - Processing times in forms primarily handled by FOD grew.
 - In some cases, USCIS approved the principal applicant's adjustment of status application but not the dependent family members' derivative applications.
 - The agency processed some cases out of order, breaking from its typical practice of first-in, first-out to move adjudication ready files forward.



- Digitizing Form I-693, *Report of Immigration Medical Examination and Vaccination Record*.
- Expand innovations in adjudicating adjustments, such as:
 - Retrieving missing documents with in-person contact,
 - Reusing biometrics to the extent possible, and
 - Exempting certain benefits from biometrics collection altogether.
- Reassessing and maximizing risk-based assessment for interview referrals.



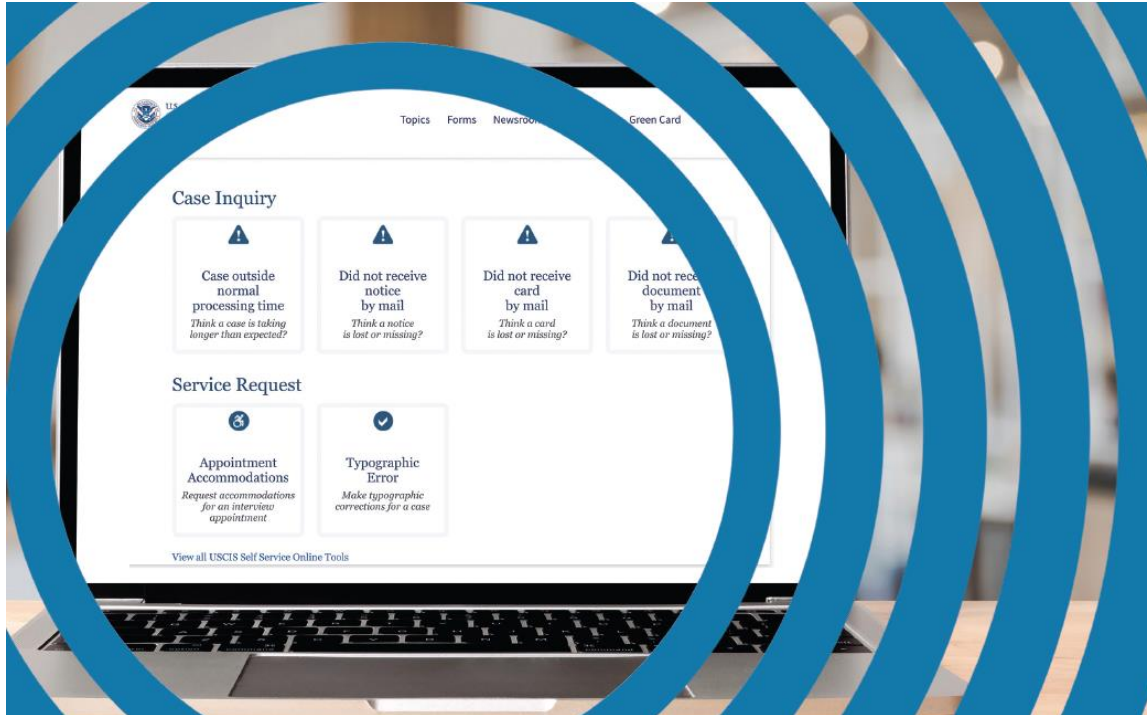
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Questions: Employment-based immigrant visas



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Improving the customer experience from the Contact Center to the field

Improving the customer experience from the Contact Center to the field



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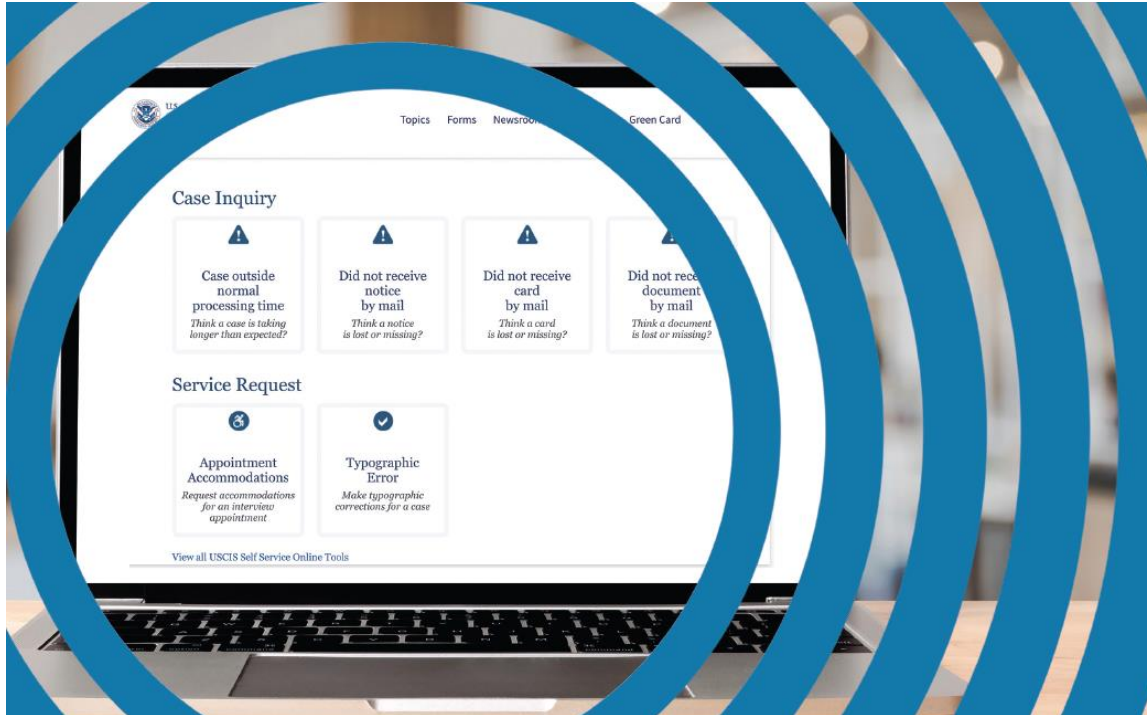
- USCIS has made significant strides in enhancing its customer service tools, including its website, the Service Request Management Tool, Emma's live chat function, the USCIS YouTube channel, the Contact Center, and online accounts.
- The agency has also increased stakeholder engagement and made several important policy and operational changes to prevent travel/employment difficulties, such as:
 - Issuing EAD and Green Card extensions
 - Issuing Form I-94 and ADIT stamps via mail
 - Implementing a naturalization test redesign initiative
- A customer-centric approach offering human interaction remains important even in a highly digital environment.



- Establish virtual InfoPass appointments and publicize all existing electronic tools.
- Reenergize circuit rides and provide information services for customers at field offices outside their normal jurisdiction.
- Develop webpages for Districts and create facility videos for field offices.
- Enrich USCIS' YouTube informational video library.
- Create a training culture to build a customer service-oriented workforce.
- Enhance Contact Center training and Contact Center detail opportunities.



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Questions: Customer experience



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Questions and Answers



- Website: www.dhs.gov/cisombudsman
- Email
 - Case assistance: cisombudsman@hq.dhs.gov
 - Public engagement: cisombudsman.publicaffairs@hq.dhs.gov
- Phone: 1-855-882-8100 (toll free) or 1-202-357-8100
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