

Inadequate Connectivity between USCIS and Other Agencies or Departments.

Inadequate connectivity between USCIS and other agencies, such as ICE or CBP, or other departments such as DOS, DOJ – EOIR, DOL, and the Social Security Administration (SSA), often leads to duplicative work. For example, an immigrant entering the United States must go to a SSA office to apply for a Social Security card. The SSA has to contact USCIS to validate the entry and authenticity of the immigration documents. Instead, USCIS, CBP, and SSA should work together so that an immigrant or an employment-based nonimmigrant is issued such a card upon entry into the country.

Another example is the lack of direct connectivity between USCIS' approval of a petition and DOS requiring an original approval notice to issue a visa. Resources that could be used to focus on certain security problems are instead used to do the same work in different government entities.

I. Limited Case Status Information Available to Applicants

USCIS' lack of communication with its customers continues to be a significant problem. In the 2005 Annual Report (at pp. 13-14), the Ombudsman observed: (1) limited customer access to USCIS immigration officers who have knowledge of individual cases; (2) questionable accuracy of the information provided; (3) insufficiently detailed information provided to answer a specific inquiry; and (4) the practice of providing minimal information in response to customer inquiries. The effect is that “[c]ustomers resort to generating numerous telephone calls to USCIS and/or making frequent visits to USCIS facilities and finally opt for congressional assistance in determining the status of pending cases.”⁵⁷

CASE PROBLEM

In 1997, the applicant filed an application to adjust status based on the applicant's refugee status (Form I-485). In 2002, the applicant learned from USCIS that the application was lost. The applicant reapplied in early 2003, but later learned that USCIS could not locate this second application. The applicant applied a third time in 2005. When the applicant tried to obtain a case status update at the applicant's local USCIS office, USCIS told the applicant that the agency approved the green card, but sent it to an address where the applicant lived ten years ago, not the address stated on the third application. Next, the applicant filed for the I-90 replacement card.

At the time of the applicant's inquiry with the Ombudsman in 2006, the application for the replacement of the green card remained pending with USCIS.

INFOPASS. The Ombudsman's comments in the 2005 Annual Report (at pp. 13-14) regarding INFOPASS remain valid. INFOPASS added a valuable on-line service to allow some applicants to secure an appointment time with a USCIS field office representative. However, in

⁵⁷ Ombudsman's 2004 Annual Report, at 6.

some locations INFOPASS replaced physical waiting lines with invisible, digital waiting lines. In addition, customers who cannot access USCIS officers outside of INFOPASS for relatively minor case inquiries often incur significant delays. While the agency has met customer expectations in some districts, substantial work still remains to ensure best practices from successful districts are adopted nationally.

Aware of issues with INFOPASS, USCIS leadership favorably received the Ombudsman's formal recommendation last year and sought to enhance the workability of the system. However, the lack of strong, centralized management has undermined INFOPASS' transition from its successful beginnings as a Miami District Office best practice to a national customer resource. Although promised, USCIS has not yet placed computer kiosks in all field offices, making appointment scheduling difficult for some.⁵⁸

National Customer Service Center. The NCSC provides USCIS customers inside the United States with toll-free telephone access to a call center for live operator assistance: to ask general questions about USCIS filing procedures; submit inquiries about pending USCIS cases; obtain forms; and/or schedule an INFOPASS appointment. However, the conclusion stated in the 2005 Annual Report (at p. 14) is still true – NCSC contract employees do not always have the necessary training or the requisite information on the status of cases to provide meaningful and timely information.

CASE PROBLEM

The applicant contacted the Ombudsman in the spring of 2006 because the applicant had not yet received a green card after USCIS approved the application for a green card in 2005. The applicant applied together with other family members. However, when other family members received their green cards, the applicant called the toll free number to ascertain the reasons for delay. The applicant also informed the customer service representative that previous USCIS communications were sent to an incorrect address. The representative changed the address in the system and asked the applicant to wait 30 days. After 30 days with no response from USCIS, the applicant called a second time and was told to wait another 30 days. Upon calling a third time, the applicant was directed to file an I-90.

In early 2006 and after the applicant filed the I-90, USCIS Case Status Online indicated that USCIS' last mailing to the applicant a few weeks before, regarding an application for a green card, was returned as undeliverable by the post office. Case Status Online directed the applicant to call the toll free number to change the address. The applicant called the toll free number and was told to wait another 30 days and that the applicant should not have filed the I-90 because the application for a green card was still open. The applicant then wrote to the local district office that had handled the application for a green card, but received no reply. A couple of weeks later, the applicant called the toll free number again

⁵⁸ See *infra* section V.11 for the Ombudsman's INFOPASS recommendation.

and received a confirmation number for the call. When the applicant contacted the Ombudsman, the applicant still had no green card or answers to the above inquiries.

USCIS' efforts to improve the responsiveness of contract employees through the Service Request Management Tool (SRMT) tracking system exacerbated the problem for many customers. The Information and Customer Service Division (ICSD) implemented SRMT on July 13, 2005 to track and handle public inquiries received on its toll-free telephone number or at local offices and in written correspondence. Originally, SRMT was designed to handle public requests via the USCIS website and sought to respond to inquiries within 30 days. Additionally, SRMT reports provided to all management levels were to help manage tracking and accountability. However the SRMT has not achieved the intended outcomes.

Telephone operators, *i.e.*, customer service representatives, screen public inquiries, ranging from routine address changes to complicated case situations that require an expert's knowledge or research, and then enter the inquiries into the SRMT system. These contract employees are assigned to one of four "Tier 1" call centers. They receive less than one month of training and are expected to access nearly 1700 pages of scripts to respond to callers. Moreover, they have no access to applicant information beyond that already available to applicants online. Two "Tier 2" call centers handle complicated inquiries. Immigration Information Officers (IIOs) staff Tier 2 call centers and receive Tier 1 referrals as well as direct calls. The IIOs often have years of training and access to USCIS databases of confidential applicant profiles and case status information. If neither call center can respond adequately to the inquiry, the customer service representative or IIO enters the inquiry into the SRMT system, which forwards the inquiry electronically to the appropriate USCIS service center or field office for a response.

Problems have arisen with access and efficiency. Access problems involve difficulty connecting telephonically with a customer service representative. Once connected, there are inherent difficulties with a contractor who has limited immigration knowledge processing a request. Contractors have difficulty identifying the actual problems and nature of the inquiry. They often do not know the follow-up questions to ask to have a complete picture of the inquiry. As a result, the IIO who receives the summarized inquiry from the contractors must gather additional information or provide an inadequate response.

The call centers were designed to take a substantial amount of the information workload from the district offices and service centers. Instead, SRMT sends the workload back to these offices without all of the information necessary for officers to provide answers to customers. As a result, the immigration officers at the field office often must obtain additional information directly from the caller. Moreover, the SRMT system itself is backlogged. As of April 2006, approximately 90,000 SRMT requests were assigned and pending, or yet to be assigned, at the National Benefits Center.⁵⁹ Implementation of the originally conceived customer-to-IIO connection via the USCIS website would allow inquirers to explain problems directly to competent and experienced IIOs, eliminating extra intermediate steps, and provide cost savings.

⁵⁹ See DHS SRMT Referral Analysis Summary Report (May 5, 2006).

USCIS' decision last year to continue the current call center contract for an additional option year, despite performance shortcomings, leaves open the question whether identified contractor performance issues will be effectively addressed in the future.⁶⁰ While USCIS indicates that it receives positive customer feedback, the Ombudsman is concerned about how USCIS measures that feedback. USCIS is making progress in many areas, yet call centers' customer interaction continues to be one of the largest sources of dissatisfaction based on customers' treatment and the centers' lack of effectiveness.

BEST PRACTICE

The Pittsburgh, Phoenix, and San Diego offices, among others, should be commended for using email systems to directly receive and timely respond to answer customer concerns. This simple process of direct communication with the customer would save the agency millions of dollars in wasted resources now used for the SRMT system and substantial portions of the Tier 1 response system.

RECOMMENDATION AR 2006 -- 06

The Ombudsman recommends that USCIS leadership support such local direct communication initiatives nationally to replace the SRMT system described above. Otherwise, the SRMT system should use Tier 2 responders whose access to USCIS systems allows them to alleviate the burden on field offices and service centers.

Case Status Online. USCIS customers can use the Internet-based Case Status Online to check the status of cases on the Internet if they have application/petition receipt numbers. Several of the shortcomings noted in last year's report (at p. 14) persist today: (1) case status information is often inaccurate or unreliable; (2) published processing times are frequently not the actual processing times; and, (3) cases that have been denied sometimes appear to be "pending" long after the date of decision because of updating problems or delays.

During the reporting period, the Ombudsman also observed other serious problems with this system. Moreover, several of USCIS' antiquated database systems cannot upload information to the Case Status Online. Consequently, certain update information is missing. In addition, the system is only capable of reporting a maximum of three digits for processing days. For example, for a wait of 1500 days, the system would show 999. The system also cannot distinguish between different categories of cases filed on the same petition each of which has a different processing time. For example, the I-130 is used for siblings as well as spouses of U.S.

⁶⁰ A June 2005 GAO report entitled "Better Contracting Practice Needed at Call Centers" (GAO-05-526) is consistent with the Ombudsman's concerns regarding USCIS contractor performance issues. Specifically, the report states "USCIS failed to meet contractual, regulatory, and the GAO standards pertaining to how the contractor's performance was documented . . ." *Id.* at 3. The report recommended that USCIS take two actions: "(1) finalize contract terms related to specific performance measurement requirements, before awarding new performance-based call center contracts; and (2) maintain readily available written records of performance assessment and performance evaluation meetings with the contractor." *Id.*; <http://www.gao.gov/new.items/d05526.pdf>.

citizens. A sibling petition will often take many years to process, whereas a spousal petition can be processed within a few months. However, the system will report the same processing time for both applicants.

CASE PROBLEM

In late 2004, the applicant and the applicant's minor child filed an application for a green card based on the applicant's marriage to a U.S. citizen. The applicant entered the United States in K-1 status. About one year after the filing for a green card, USCIS invited the couple for an interview at a local USCIS office. One month before the scheduled interview, the Case Status Online system indicated that the interview was cancelled and, therefore, they did not attend the interview. Subsequently, USCIS invited the applicant to take fingerprints at an Application Support Center (ASC) the following month. Shortly after receipt of that notice, USCIS denied the green card applications of the applicant and the minor child for failure of the married couple to attend the interview. Yet, the minor child later received a notice to attend a green card application interview, although USCIS had already denied the child's application based on the mother's alleged failure to attend the interview. The family contacted the Ombudsman for assistance during the reporting period.

J. Coordination and Communication

Effective interagency and intra-office coordination and communication is vital to providing good public service and improving the efficiency of operations. However, issues and concerns addressed in the 2005 Annual Report (at pp. 14-15) remain and should be addressed.

1. Field Offices/Service Centers

CASE PROBLEM

In 2001, the applicant properly filed a green card application with a service center based on the applicant's refugee status. Shortly thereafter, the service center transferred the application to a local USCIS district office to speed adjudication. After the applicant notified USCIS of an address change, USCIS transferred the applicant's file to another local office with jurisdiction of the case, but the file never arrived. USCIS then informed the applicant that the file was rerouted to the service center where the application was filed originally. Since then, the applicant has been unable to obtain case status information. The applicant contacted the Ombudsman in early 2006.

In the 2005 Annual Report (at pp. 14-15), the Ombudsman identified the transfer of files between offices as a problem. Although the introduction of the National File Tracking System (NFTS) has helped, the problem of transferring bulk files from one facility to another persists. Inadequate communication between service centers and district offices causes poor coordination. For example, files are transferred without notification to the receiving office.