



**Homeland
Security**

Follow Up Questions and Answers

**The CIS Ombudsman's Webinar Series: 2022 Annual Report
July 19, 2022**

Q1. What are the efforts being undertaken by U.S. Citizenship and Immigration Services (USCIS) or the CIS Ombudsman related to cases where the principal applicant's adjustment of status is approved but derivative applicants are still waiting for adjudication?

A1. The CIS Ombudsman raised this issue with USCIS and provided case examples. USCIS is reviewing these examples to determine what process changes may be necessary to keep the principal and derivative files together. This is not, however, a USCIS error since each application or petition is adjudicated on its own merit, not the principal's. When each dependent's application meets the criteria USCIS outlined during its May 2022 stakeholder engagement on backlog reduction and processing times, USCIS will transfer the file to the National Benefits Center (NBC) or a field office for adjudication. Each dependent applicant may wish to notify USCIS via the *Ask Emma* feature if more than 30 days have passed since the primary applicant received approval of their Form I-485, the primary's priority date remains current, and the dependent's Form I-485 has been pending outside normal processing times.

Q2. Has the CIS Ombudsman engaged with USCIS on the need to review form length in furtherance of the agency's goal of reducing processing times and the overall case backlog?

A2. The CIS Ombudsman has on more than one occasion noted the lengthening of forms in recent years. USCIS has highlighted its need for additional information to avoid Requests for Information (RFEs) and Notices of Intent to Deny (NOIDs). We have done several studies of RFEs and NOIDs in the past, and one data point that would be useful for the agency is whether these longer forms have in fact reduced the numbers of RFEs and NOIDs.

Q3. Has the CIS Ombudsman engaged with USCIS concerning reinstating walk-in availability at local field offices in order to facilitate the expeditious handling of emergency requests?

A3. The CIS Ombudsman has advocated for several ways to increase capacity at field offices for those with a need to present and facilitate emergency and expedited requests. USCIS is very unlikely at this time to return to walk-in capacity. It is however considering ways to increase access to its field offices for limited purposes that require in-person appearances. We will continue to press for increased capacity and easier access.

Q4. Is the CIS Ombudsman aware of the current trend out of the USCIS Vermont Service Center involving rejections of mailed Forms G-28, *Notice of Entry of Appearance as Attorney or Accredited Representative*, Forms AR-11, *Alien Change of Address Card*, and supplemental and amended filings that are related to humanitarian cases? The filings being rejected are accompanied by a form letter stating, "the submission you seek to make may be made by other means."

A4. We have not seen this trend in our requests for case assistance, nor has this been brought to our attention by stakeholders. We are reliant upon many avenues to provide us with issues and the facts that make up these issues. But the most direct route is providing us with details regarding the issue.

Q5. Can the CIS Ombudsman have a session on changes to discretion that took place in the Policy Manual during the prior administration?

A5. Thank you so much for your suggestion. We are always looking for relevant topics for our engagements to share key information with stakeholders interested in the administration of immigration benefits.