

The following USCIS response was received as part of a collective response to several recommendations submitted by the CIS Ombudsman. The following response has been extracted from the original document received by the CIS Ombudsman for display and readability purposes.

USCIS Response to Recommendations

Long and short-term recommendations concerning USCIS issuance of permanent resident cards to arriving immigrants.

This recommendation regarding long and short-term recommendations concerning USCIS issuance of permanent resident cards to arriving immigrants has the following elements:

- 1) In the short term, the Ombudsman recommends that USCIS revise its procedures for processing lost immigrant visa cases in light of new methods available to USCIS to electronically verify valid immigrant visa issuance and lawful admission to the United States.
- 2) For the long term, the Ombudsman recommends that USCIS enter into a memorandum of understanding (MOU) with the Department of State (DOS) and Customs and Border Protection (CBP) to allow electronic transfer of the immigrant visa packet from DOS to USCIS and to automatically initiate production of a permanent resident card (I-551) upon inspection and admission of an arriving immigrant by CBP.

We are generally in agreement with the recommendation. A discussion of the issues and actions taken and planned is provided below.

The Ombudsman recommended that, in the short-term, USCIS revise its procedures for processing lost immigrant visa cases in light of new methods available to USCIS to electronically verify valid immigrant visa issuance and lawful admission to the United States. We agree with this recommendation. As noted in the recommendation, a suggestion was made by employees from the Buffalo District Office to modify these procedures. The suggestions that were made for processing changes for handling new orphans who qualify for immediate citizenship upon being admitted as lawful permanent residents have been implemented. It should be noted that USCIS has never required adopted children be brought to Buffalo for interviews as alluded to in the background section of the formal recommendation.

We have not yet implemented the suggestions for broader changes to the immigrant visa processing. It has been determined that the IR-3 citizenship program that has been implemented is working successfully. It was also determined that the old procedures referenced in the 1997 memo are outdated and should be replaced. To that end, discussions have taken place with the Visa Office of DOS to confirm that all of the Machine Readable Immigrant Visa (MRIV) data is accessible through DOS's Consular Consolidated Database (CCD). Access to the CCD database and all of its relevant elements, would provide USCIS offices with the ability to conduct electronic verification of data. We are currently working with DOS on the development of memoranda of understanding for the electronic sharing of necessary information between USCIS and

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DOS. The finalization of these memoranda will support improvements to customer service as well as national security and public safety.

With respect to the recommendation for a long-term solution to immigrants arriving at ports of entry with visa packets instead of information being provided electronically through the DOS please be advised that the electronic transfer of data and biometrics is a cornerstone strategy of the U.S. VISIT program and any changes to the data being provided to USCIS from that information will be coordinated with all affected agencies within the Department of Homeland Security (DHS). USCIS is participating with other components of the DHS and DOS in these efforts. It is essential that the service and enforcement components of DHS and DOS develop the biometric standards, the data fields, and the data systems, in concert to facilitate the transfer of accurate information in electronic formats that can be accessed by those in the Department that have need of it.