

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.

Recommend the establishment of a separate fee structure for the “*e-filing*” applications/petitions so that a different (lower) fee is permitted for filing an e-file application/petition that is required for a conventional paper-based filing.

The USCIS and the Ombudsman are in agreement that USCIS could take steps to incentivize electronic filing. In discussions that USCIS has had with its customers, USCIS has found that our customers want:

- The ability to electronically transfer customer information from their systems to the USCIS. This system would benefit immigration service practitioners more than the individual customers.
- The promise of reduced processing times for *e-filed* adjudications.
- The opportunity to communicate more easily and quickly when problems arise.

The Ombudsman claims in the recommendation that the *e-filing* system is “very time-consuming and awkward for our customer base and so customers are not employing *e-filing* as their preferred way of doing business with USCIS.” The USCIS disagrees with this claim as it relates to individual customers approaching USCIS directly. In fact, USCIS has provided statistics that show an ever-increasing caseload that is coming to USCIS via *e-filing*. Nevertheless, USCIS welcomes specific suggestions for improvement to the mechanics of e-filing as it relates to individual customers.

USCIS recognizes, however, that the existing e-filing system is not meaningfully advantageous to customer representatives who are using their own electronic systems to prepare forms and manage their client data, because USCIS has not implemented technology, similar to that of the IRS, allowing an interface for upload of customer data not keyed in directly on the USCIS e-filing system. USCIS intends to develop systems to allow batch loading and will work with immigration software vendors and other stakeholders in designing such functionality.

Also, the Ombudsman cites private industry practices that incentivize e-business so that they can realize cost savings. Unfortunately, in the case of USCIS the age of many of our legacy systems does not allow us to provide an interface between e-filed applications and our database systems that store the applicant’s information. Therefore, USCIS will be unable to realize cost savings comparable to industry until legacy information systems are updated and redesigned with more capacity for interface. It would be imprudent to incentivize *e-filed* applications until we have procedures in place that actually make *e-filed* applications less costly for USCIS to process than paper-based applications. We expect to develop concurrently the capacity for batch uploading for customers and electronic processing for USCIS, so that mutual benefits can be obtained simultaneously.

In short, the USCIS does not disagree with the intent of this recommendation and will certainly continue to monitor its *e-filing* program for potential customer savings. When these savings begin to be realized, then the USCIS will consider this recommendation and

USCIS Response to Ombudsman

December 17, 2004

other alternatives to increase the *e-filing* method of applications.