



RECOMMENDATIONS AR 2007 -- 23

The Ombudsman recommends that USCIS:

- (1) Consider amending job requirements to include basic knowledge of certain commercially available computer programs used in the offices; and 
- (2) Provide all interviewing officers with Interviewing Techniques Training. Adjudicators who received this training indicated it helped them conduct better interviews. 

N. Delay in Updating U.S. Citizenship Designation in Records; Some Naturalized Citizens Cannot Apply for Passports

In the 2006 Annual Report (at p. 44), the Ombudsman discussed concerns with USCIS updating its records regarding citizenship acquisition (*i.e.*, naturalization records).

In its 2006 Annual Report Response, USCIS stated (at pp. 16-17):

For older cases, USCIS conducted an extensive comparison of records in several systems, systems sweeps and modifications to systems coding to ensure that previous records were correctly updated. For new cases, performance is monitored to ensure that when citizenship is granted, the associated status records are updated promptly after the naturalization ceremony.

The Ombudsman appreciates USCIS' response to this important issue and will continue to monitor it.

O. Green Cards Collected, Not Recorded, and Green Card Delivery Problems

In the 2006 Annual Report (at p. 43), the Ombudsman identified two green card problems: (1) the non-recording of green cards that were returned to USCIS field offices or ASCs (*e.g.* upon green card holders' naturalization or card expiration); and (2) verification of green card delivery.

Individual travelers who were referred to secondary processing at ports of entry had problems because inspection showed either that: (1) a green card was still in circulation for a naturalized citizen bearing a U.S. passport; or (2) a returning permanent resident bearing a new green card still possessed a superseded card. USCIS informed the Ombudsman during the reporting period that it had resolved the issue of green card returns which were not recorded.

The Ombudsman is pleased to report the agency's plans to adopt the essence of the 2006 Annual Report's recommendation (AR 2006 -- 08). For verification of green card delivery, USCIS reported in its 2006 Annual Report Response (at p. 16):

In FY 07, as we complete the transition to new postage meters, we plan to transition to new standards for mail delivery to allow mail forwarding with notification from the US Postal Service through its address service. As part of the proposed new fee structure, we further plan to move to 2-day delivery of cards with delivery confirmation. This will reduce delivery times, give customers tracking numbers so they can track mail delivery, while also providing for more secure delivery.

USCIS reported in its recent fee proposal, now final, that it was partnering with the U.S. Postal Service (USPS) to develop a way for USCIS “to track delivery of each document and to respond to queries from applicants regarding the status of document delivery.”⁶⁹ The proposed process change will apply to green cards and all USCIS secure documents (*i.e.*, EADs and travel documents). USCIS and USPS foresee secure documents delivered via priority mail, a higher class of service than first class, with delivery confirmation.⁷⁰ The Ombudsman will monitor the situation as the process is introduced.

IV. UP-FRONT PROCESSING

As in previous annual reports, the Ombudsman continues to recommend the expeditious national roll-out of the DORA program or a similar program that utilizes up-front processing of applications for immigration benefits. This roll-out would be consistent with the principles articulated in the Second Stage Review process for DHS.⁷¹ During the reporting period, USCIS expanded DORA to two offices – El Paso and Oklahoma City. Preliminary reports from those two offices have been negative, but inadequate resources and other circumstances need to be fully considered in an evaluation of DORA at those offices. In the meantime, the Ombudsman continues to recommend the expansion of DORA and up-front processing to all USCIS offices.

A. Background

Up-front processing is characterized by:

- Pre-screened applications to ensure completeness prior to filing;
- One form and one fee per immigration benefit filed by customers;

⁶⁹ 72 Fed. Reg. at 4899.

⁷⁰ *See id.*

⁷¹ DHS Secretary Michael Chertoff stated the following in prepared remarks at the Ronald Reagan Building regarding the DHS Second Stage Review: “Part of the problem is that the current business model fosters a long delay between application and the final adjudication of applications for residence and citizenship, during which many applicants stay here as temporary residents . . . [T]his system puts some of the most important security screening at the end of a lengthy process rather than the beginning, and leads to an unnecessary high rate of rejection late in the process.” (July 13, 2005); http://www.dhs.gov/xnews/speeches/speech_0255.shtm (last visited June 5, 2007).