

**Recommendation 01: TRANSFORMATION (Annual Report p. 6)**

The Ombudsman recommends the Transformation Program Office:

- (1) Publish transformation timelines, goals, and regular updates on the public USCIS website. The Ombudsman is concerned that transformation is proceeding largely without input from customers, Congress, and the public. The lack of transparency enables USCIS to modify deadlines and goals without producing meaningful results.
- (2) Establish transparency as a goal for USCIS processing and services. The agency provides minimal information to customers who often have long pending applications and petitions. The agency could make its processes more transparent, which would reduce inquiries to the National Customer Service Center (NCSC) and the need for INFOPASS appointments, as well as make available USCIS resources for adjudicative functions.

Recommendation 02: PENDING CASES (p. 15)

The Ombudsman has observed that newer cases are processed more quickly while cases more than six months old are increasingly backlogged. The Ombudsman supports the USCIS drive to maximize case completions, but attention needs to be directed at clearing older cases.

The Ombudsman recommends that USCIS provide a clearer picture of the current backlog by providing information on the number of pending cases by form type with receipts that are: (1) less than 90 days; (2) less than 180 days; (3) less than one year; (4) less than two years; (5) less than three years; (6) less than four years; and (7) greater than four years.

Recommendation 03: PROCESSING TIMES (p. 21)

Currently, USCIS provides processing times based on agency goals, rather than actual processing time as it previously provided. In addition to the agency's responsibility to be transparent, green card applicants in particular should know if applications will be processed within 90 days, rather than the 180-day target time, to avoid applying unnecessarily for interim benefits. The Ombudsman recommends that USCIS return to providing the public with actual processing times for each field office.

Recommendation 04: FAQ LIST (p. 29)

The Ombudsman recommends that USCIS adopt the frequently asked questions format used by Customs and Border Protection (CBP), incorporating a dynamic search feature on the website, rather than a static FAQ list. In addition, USCIS should provide a service on the website whereby customers can email a question and receive an answer within a short period of time.

Recommendation 05: APPLICANT REDRESS (p. 30)

The Ombudsman further recommends that USCIS adopt a national process similar to that in the San Diego Field Office wherein an applicant who has not received a decision after an interview can contact the District Adjudications Officer (DAO) via email. If the DAO fails to respond within a set period of time, the applicant should be able to contact the supervisor. If there is still no response, the applicant should be able to contact the District Director.

Recommendation 06: FBI NAME CHECKS (p. 45)

In addition to the Ombudsman's recommendation in the 2006 Annual Report, AR 2006-04, the Ombudsman recommends that USCIS: (1) evaluate the value of the name check in its current format and establish a risk-based approach to screening for national security concerns; (2) work with the FBI to provide the necessary resources to perform name checks in a timely manner; and (3) provide greater transparency to customers by publishing monthly the number of long-pending FBI name check cases.

Recommendation 07: PREMIUM PROCESSING COSTS AS COMPARED WITH REGULAR PROCESSING COSTS (p. 50)

The Ombudsman recommends that USCIS conduct a thorough, transparent, and independent analysis of premium processing costs as compared with regular processing. The Ombudsman recommends that this process include a comparison for each stage of these processes for: (1) contractor costs; (2) federal employee costs; and (3) all other associated costs.

Recommendation 08: FRAUD INTERVIEWS (p. 53)

The Ombudsman recommends that USCIS institute same-day fraud interviews in all field offices. Timely adjudication of applications will deny fraud perpetrators additional preparation time and timely decisions will prevent issuance of interim benefits.

Recommendation 09: FRAUD INVESTIGATION TIME LIMITS (p. 53)

The Ombudsman recommends that USCIS produce an Aging Report on pending fraud investigations by officer and district. There should be a reasonable limit to the time allotted for investigation by the fraud unit.

Recommendation 10: QUALITY ASSURANCE (QA) TRAINING (p. 54)

The Ombudsman strongly endorses a plan whereby employees responsible for quality assurance at the local level receive uniform and comprehensive training in QA procedures.

Recommendation 11: CHICAGO LOCKBOX (p. 56)

For the Chicago Lockbox, the Ombudsman recommends that USCIS:

- (1) Implement a procedure so the Lockbox will not accept a new filing if a case already has been denied and a Notice to Appear (NTA) issued;
- (2) Institute a process to notify a field office when an application is rejected; and
- (3) Implement quality review measures to ensure that errors do not occur in mailings to applicants.

Recommendation 12: REQUEST FOR EVIDENCE (RFE) ISSUANCE (p. 61)

USCIS currently uses substantial resources to issue and review RFEs for information that already was submitted or was unclear in the original application instructions. While the agency in its 2006 Annual Report Response (at p. 17) indicates that it continues to work to improve the clarity of form instructions, the Ombudsman recommends that USCIS develop:

- (1) Clearer application instructions so that applicants provide the required documentation at the outset;
- (2) Transparent and easily understandable rejection criteria; and
- (3) RFEs written in simple, more direct language with less legalese and personalized to the recipient for the limited instances in which RFEs would be issued.

Recommendation 13: FUND HEADQUARTERS STAFF VISITS TO THE FIELD (p. 63)

The Ombudsman recommends that the USCIS budget for each headquarters element include sufficient funds for detailed visits with field office and service center line and supervisory staff to enable headquarters to better understand the needs of these offices.

Recommendation 14: RECORDS MANAGEMENT (p. 64)

The Ombudsman recommends that USCIS define a program to ensure proper handling and monitoring of its records. The program should be assigned to a USCIS headquarters office element.

Recommendation 15: INFORMATION TECHNOLOGY NETWORK SOLUTIONS (p. 69)

The Ombudsman also recommends that USCIS:

- (1) Ensure that a computer refresh does not adversely impact local systems.
- (2) Make available to each local office software that is authorized to enable offices to continue to use previously created documents in those systems; and
- (3) Consider a long-term solution to the onsite support issue such as a central system.

Recommendation 16: CHIEF HUMAN CAPITAL OFFICER (p. 71)

The Ombudsman recommends that the Chief Human Capital Officer have a rank position equal to the Chief Information Officer and Chief Financial Officer. USCIS should establish the role as a career reserved SES position.

Recommendation 17: CAREER PATHS (p. 71)

The Ombudsman recommends that USCIS ensure there is a comprehensive merger of core job career paths with necessary training requirements – mandatory, technical, and leadership – oriented to future needs and groups, as well as transparency from entry to executive levels.

Recommendation 18: TRAINING (p. 72)

The Ombudsman recommends that USCIS' blended approach to training continue and expand. USCIS should establish, regulate, and evaluate core training needs throughout its operations in the same manner for its review of the Basic Officer Training Course for adjudicators. Moreover, the quality of the curriculum, teaching methodology, and instructors needs to be assured. USCIS should establish a certification process for both federal and contracted instructors.

Recommendation 19: STANDARDIZE STAFFING LEVELS (p. 72)

To reduce USCIS' dependency on temporary employees and assignments, the agency should establish a table of standard staffing levels and office reorganization to provide the requisite staff at any particular office.

Recommendation 20: OFFICE COMMUNICATION (p. 74)

The Ombudsman recommends that USCIS expand the opportunities for vertical and horizontal communication among offices by supporting conferences focused on specific work issues and providing funds for travel of working level staff to share best practices.

Recommendation 21: TRAINING FOR OFFICE SUPERVISORS (p. 74)

The Human Capital and Training Office in collaboration with field offices and service centers, should determine the skills and knowledge sets required for supervisors to be effective in their daily managing of people and resources. Specific resources or training programs should be identified on diversity requirements, discipline issues, handling problem employees, evaluating workflows, and budget management. Headquarters funds should be provided to field offices for employees to attend these sessions.

Recommendation 22: PERSONNEL RECRUITMENT AND DEVELOPMENT (p. 75)

The agency should establish actionable multi-year milestones that lead to fulfilling the objectives of the Strategic Workforce Plan and ensure a systemic and sustained effort to recruit and develop its personnel. Responsibility to implement the plan should be included as a specific job requirement for the Chief Human Capital Officer and in the job requirements statements of the senior officers in the Office of Human Capital and Training.

Recommendation 23: TRAINING (p. 77)

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.

Recommendation 24: END THE DALLAS OFFICE RAPID ADJUSTMENT (DORA) PILOT (p. 84)

The Ombudsman recommends that USCIS end the now three-year old DORA pilot. USCIS should evaluate the different up-front processing programs to determine the comparative value of each program and whether they should be expanded. The USCIS findings and empirical data should be made available to the public. The agency should either implement a version of DORA nationwide or another program which will achieve the same objectives with equal or better results.

Recommendation 25: ASYLUM APPLICATION REDRAFT (p. 95)

The Ombudsman recommends that USCIS redraft Form I-589, the asylum application, so that it is less complicated and more understandable by the intended audience – persons who have been persecuted based on race, religion, nationality, membership in a particular social group, or political opinion.