

USCIS Accountability: An Examination of "Blank Space" Rejections



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Application for Asylum and for Withholding of Removal

What is the I-589 Application?

- » Used for applying for asylum in the United States
- » Must be completed within one year of entering the United States
- » Can apply at any age
 - » Processes are different for children under the age of 18
- » 4 Service Centers
 - » California
 - » Nebraska
 - » Texas
 - » Vermont
- » \$0 filing fee

Analysis of I-589 Applications

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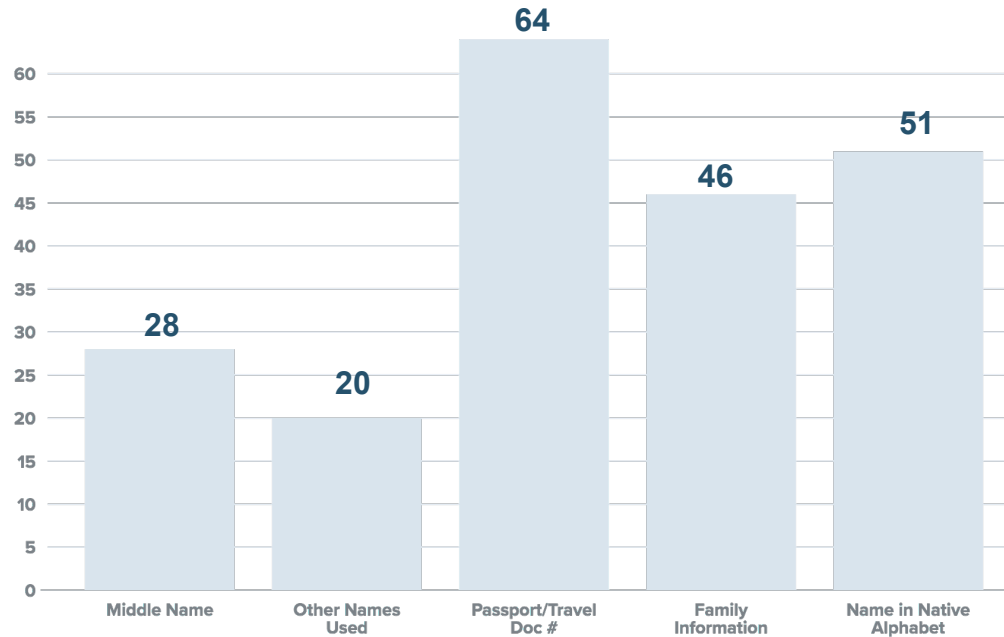
Service Center	Number of Applications
California	11
Nebraska	82
Texas	49
Vermont	47
TOTAL	189

Analysis of Rejections Across All Service Centers

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- » Using terms such as “None,” “Not Applicable,” or “-”, instead of "N/A"
- » False USCIS claims of missing supplements
- » Not including “from” dates on current address
- » Not accepting old forms
- » Vague use of “if any” throughout questions

Most Common Blank Space Rejections



5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.

(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Full Name	City/Town and Country of Birth	Current Location
<i>Mother</i> Jane Doe	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Father</i> John Doe	Managua, Nicaragua	<input checked="" type="checkbox"/> Deceased
<i>Sibling</i> John Doe Jr.	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Sibling</i>		<input type="checkbox"/> Deceased
<i>Sibling</i>		<input type="checkbox"/> Deceased
<i>Sibling</i>		<input type="checkbox"/> Deceased

Full Name	City/Town and Country of Birth	Current Location
<i>Mother</i> Jane Doe	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Father</i> John Doe	Managua, Nicaragua	<input checked="" type="checkbox"/> Deceased
<i>Sibling</i> John Doe Jr.	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Sibling</i> N/A	N/A	<input type="checkbox"/> Deceased N/A
<i>Sibling</i> N/A	N/A	<input type="checkbox"/> Deceased N/A
<i>Sibling</i> N/A	N/A	<input type="checkbox"/> Deceased N/A

- » Most Common Blank Spaces:
 - » Name in Native Alphabet
 - » Travel Document #
 - » Family Information
 - » Middle Name
 - » Other Names Used
- » Unaccompanied Child (UAC) already in removal proceedings, so the form needed to be filed with an immigration judge
- » Did not put N/A for all blank sections
- » Did not provide 5 years of employment history

- » Most Common Blank Spaces:
 - » Name in Native Alphabet
 - » Middle Name
 - » Other Names Used
 - » Spouse or Child Middle Name
 - » Family Information
 - » Put “None” instead of “N/A”
 - » Put “No Employment” instead of “N/A”
 - » No end date for current address
 - » Form completed in pencil; even though no ink provided by ICE
 - » Request for birth certificate

- » Most Common Blank Spaces:
 - » Family Information
 - » Travel Document #
 - » Name in Native Alphabet
 - » Claims of missing information, but supplement B form was attached

- » Most Common Blank Spaces:
 - » Name in Native Alphabet
 - » Family Information
 - » Middle Name
 - » Other Names Used
 - » Travel Document #
- » Did not put “N/A” for all blank spaces
- » Signature was in blue ink
- » Claims of no passport photo, even when photo attached
- » False claims of incomplete sections on forms

Impact of Rejections

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- » Applicants risk falling out of status solely for non-substantive reasons due to delays in receiving rejection notice
- » Applicants who are 17 years old risk losing their UAC status
 - » Most common in Vermont and Nebraska Service Centers
- » Undue stress and worry for applicants
- » Need to refile adds to already lengthy processing times and increases costs.



Petition for U-Visa Nonimmigrant Status

What is the I-918 Application?

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- » U-Visa is for victims of certain criminal activity who have been physically/mentally abused
- » Can petition for temporary immigration benefits for self and qualifying family members
- » Requires a “Supplement B,” which is a form completed by a law enforcement officer
- » \$0 filing fee
- » Adjudicated at only one service center (Vermont)

Analysis of Rejected I-918 Applications

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- » Most Common Blank Spaces
 - » Spouse/Child Information
 - » Other Names Used
 - » Apartment Number
 - » Middle Name
- » Other reasons for rejections
 - » Claims parts were left blank
 - » Claims incorrect form used
 - » Did not put “CONFIDENTIAL” into every address field
 - » Used “None” or “Not Applicable” instead of “N/A”

Impact of Rejected I-918 Applications

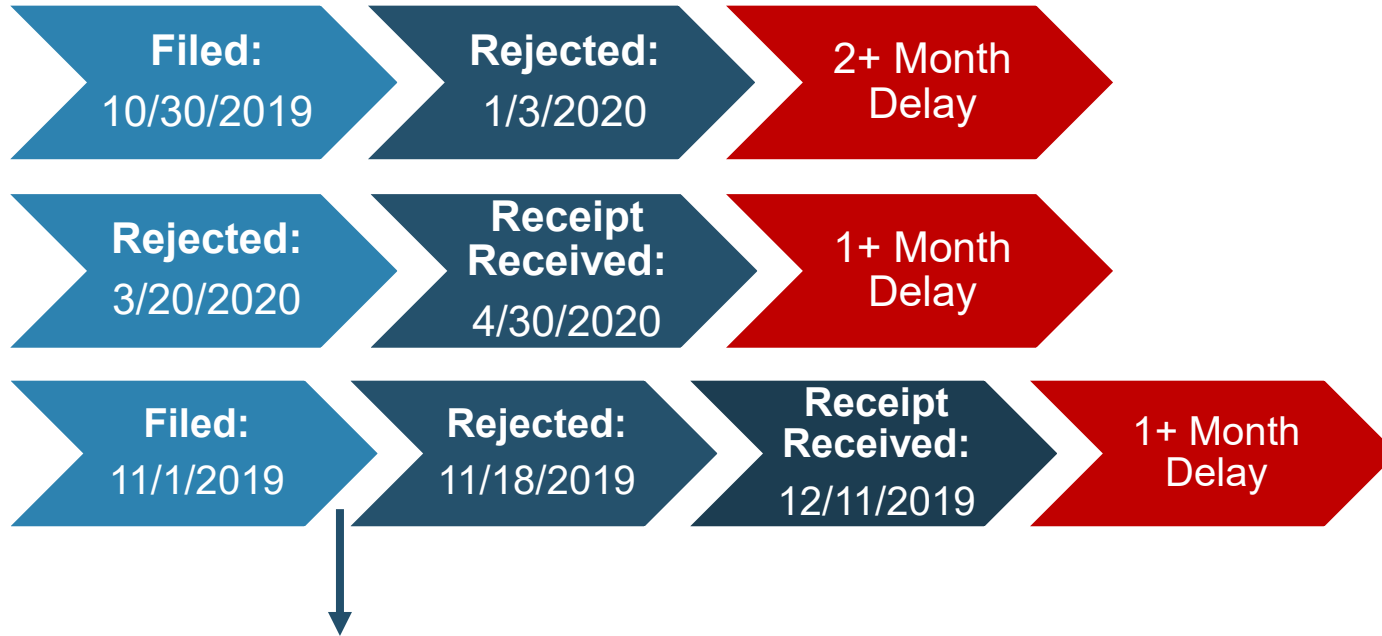
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- » Unnecessary delay in already lengthy process and additional financial expense
- » Need to seek a new Supplement B from law enforcement officials
- » U Visa certification expired
- » Version of Form I-192 no longer accepted

**Case Processing Delays
Openness and Transparency
Efficient Regulatory and Policy Review Processes**

Case Processing Delays and Inconsistencies

- » Delays in both rejections and receipts
- » Blank space rejections are consistent across service centers
- » Vermont and Nebraska service centers more likely to reject UACs who are close to “aging out”
- » Policy and rule changes to consider include:
 - » Adherence to statutory mission of adjudicating immigration benefits applicants efficiently and fairly
 - » Mandatory compliance training to ensure consistency in adjudications
 - » Expediting necessary rejections to minimize adverse impact



Openness and Transparency & Regulatory Review Processes 22

- » Variances between service centers show a lack of communication and emphasize the power of individual USCIS agents in decision making
- » Policy and rule changes to consider include:
 - » Rescind policy to reject forms for non-material blank spaces
 - » Ensure rejections are consistent with form instructions
 - » Ensure that substantive policy changes are only developed after notice and comment so the public can analyze the impact.
 - » Discuss potential changes with stakeholders before enacting