



November 17, 2011

Executive Summary

Proposed changes to the American Institutions of Research (AIR)

Background

On October 26, 2011, the Office of Field Operations and the Office of Public Engagement (OPE) hosted a stakeholder engagement relating to the American Institutions of Research (AIR) process. USCIS requested feedback on the proposed changes to this process. Currently the AIR is located in Title 8, Code of Federal Regulations at section 316.20. Additionally, the current list of recognized American Institutions of Research is available at www.uscis.gov/AIR.

This list is outdated, causing difficulty for USCIS customers because they are unable to verify their employment with an AIR organization when applying for benefits with USCIS. USCIS has several proposed changes to this process to keep the list updated and customers informed, and would like to collect comments from stakeholders as part of the rulemaking process. Below is a summary of feedback received from stakeholders as it relates to the proposed changes to the AIR process..

Feedback

During the engagement, stakeholders sought clarification on whether a currently recognized American Institution of Research would need to complete any particular application forms in order to maintain their recognition. Stakeholders requested more information on whether a current AIR would be required to renew its status after 10 years and if so, what the impact would be on a naturalization applicant while the organization's application is pending approval. Additionally, stakeholders requested more information about what would happen to a pending application for AIR recognition once the new regulation was put into effect.

One suggestion provided that USCIS should consider maintaining the list of American Institutions of Research in the regulation rather than amending 8 CFR because the regulation is available in electronic format. Moreover, stakeholders commented that USCIS did not have clear procedures within 8 CFR in order to apply for AIR recognition and recommended that any amendments made to the regulation should clarify the recognition and application process. Stakeholders also suggested that clear instructions should be provided to USCIS Field Offices so they properly process applications from organizations attempting to obtain AIR recognition.

Stakeholders also inquired as to whether the proposed changes would be implemented at the Headquarters, Regional, or Field levels of USCIS. One stakeholder recommended a review of Title 22 USC, Chapter 28 for more information on the American Institutions of Research process.

A question was raised concerning the current recognition of Cornell University's Graduate Education Program. According to one participant, 8 CFR currently lists Cornell University (International Agricultural Development, University of the Philippines- Cornell University Graduate Education Program) as an American Institution of Research and other colleges associated with Cornell are seeking clarification as to whether the AIR designation is effective for the institution as a whole. In general, if an institution is listed as an AIR, and it has many colleges and schools associated with it as one corporate entity, are all the other schools and colleges considered to be part of the AIR designation? If that is not the case, would Cornell then need to reapply for designation as an AIR and amend its status to indicate that the entire University is covered?

Next Steps

USCIS will review the feedback received during this engagement and consider it as the AIR process is changed.