



U.S. CITIZENSHIP AND IMMIGRATION SERVICES
OFFICE OF LEGISLATIVE AFFAIRS

Congressional Inquiries Refresher for Legislative Staff

April 2021



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Purposes

By the end of this webinar, you will:

- Know where to send inquiries;
- Understand the timeframes within which to expect responses from our liaisons;
- Know the USCIS/OLA privacy release requirements;
- Understand the nature of expedite processing requests and what is expected when such requests are reviewed;
- Know how to effectively follow up on previously submitted congressional inquiries;
- Understand which documents should be sent to support congressional inquiries; and
- Know how to ensure that your inquiries receive meaningful responses.

When To Create An Inquiry

Because USCIS has jurisdiction over the following immigration issues, it may be appropriate to contact USCIS through a congressional inquiry to determine the status of a pending case or policies concerning these issues:

- Naturalization and certificates of citizenship
- Permanent Resident Cards (Green Cards)
- Family-based immigration petitions
- Employment-based immigration petitions
- EB-5 Immigrant Investor Program
- Adjudication of applications for employment authorization
- Adjustment of status to permanent resident
- Adjudication of affirmative application for asylum (performed within the United States)



When To Create An Inquiry (Continued)

- Adjudication of refugee status applications (performed abroad)
- Waivers of inadmissibility for immigrant visa applications
- Extension and change of non-immigrant status
- Verification for employment (E-Verify Program)
- Systematic Alien Verification for Entitlements (SAVE)
- Temporary Protected Status (TPS)
- Humanitarian parole
- Intercountry adoptions
- Detection of immigration and marriage fraud (in conjunction with U.S. Immigration and Customs Enforcement (ICE))
- Deferred Action for Childhood Arrivals (DACA)



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Identifying the Right Location to Send an Inquiry

Knowing How to Read the Receipt Notice and Use that Information When Inquiring or Following Up on Cases

- Upon acceptance of your constituent's petition or application, USCIS will send the petitioner or applicant a Notice of Action, Form I-797C
- The I-797C contains a **receipt number** that identifies where the petition or application was first received for jurisdiction purposes.
- Each receipt number **contains a unique 13-character identifier; consists of three letters (EAC, WAC, LIN, SRC, NBC, MSC, YSC, MCT, or IOE); and is followed by 10 numbers.**



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Identifying the Right Location to Send an Inquiry

In response to the often-asked question: What do the first three letters in a USCIS Receipt number mean? Those letters mean a lot. They are like street signs in a city. They help to locate which office or service center your constituent's case began its journey.

- EAC – Vermont Service Center (formerly Eastern Adjudication Center or Eastern Service Center).
- WAC – California Service Center (formerly Western Adjudication Center or Western Service Center).
- LIN – Nebraska Service Center (formerly Lincoln Service Center).
- SRC – Texas Service Center (formerly Southern Regional Center or Southern Service Center).
- NBC – National Benefit Center.
- MSC – Missouri Service Center (know National Benefits Center).
- YSC – Potomac Service Center.
- MCT – Prefix used to identify filing of Form I-539 Change/Extension of Non-immigrant Status.
- IOE – Prefix used to identity electronic filing/immigrant visa fee.



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Identifying the Right Location to Send an Inquiry (Continued)

- Note for the purposes of entering an inquiry in the OLA Congressional [Portal](https://www.uscis.gov/congress/congressional-web-portal/congressional-web-portal) (<https://www.uscis.gov/congress/congressional-web-portal/congressional-web-portal>), the three letters identifying the location may be different.
- When inquiring about a pending petition or application, it is best to reach out to your local USCIS field office or center congressional unit – unless it relates to a policy or subject matter exclusively handled by congressional liaisons at USCIS Headquarters.



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Identifying the Right Location to Send an Inquiry (Continued)

Follow these OLA/Best Practices for Contacting

- Contact Your Local USCIS Office or Service Center for:
 - **Constituent Casework**
 - Follow the identifying prefix on the constituent's receipt notice (I-797C, Notice of Action)
 - Determine whether the constituents have received notices from USCIS that their cases have be relocated
 - **Details on USCIS Events in Your Area**



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Identifying the Right Location to Send an Inquiry (Continued)

Follow these OLA/Best Practices for Contacting

- Contact HQ OLA for:
- **National Policy Questions and**
- **Case Inquiries on:**
 - Administrative Appeals
 - Humanitarian Parole
 - Refugee Cases
 - Systematic Alien Verification for Entitlements (SAVE)
 - Applications/ petitions pending at USCIS offices abroad
 - EB-5 (Immigrant Investor Program Office)



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Creating and Sending an Inquiry

Generally, USCIS Congressional Units may accept inquiries submitted via telephone or in writing through **fax,* emails** or the **dedicated congressional inquiries portal** (<https://www.uscis.gov/congress/congressional-web-portal-web-portal>).

Telephonic vs. Written Inquiries – which is preferable and why?

- ❖ Written inquiries are preferable because they reduce possible ambiguity. Written inquiries tend to provide:
 - ☐ essential information,
 - ☐ ease of follow up, and
 - ☐ means of recording and tracking.

*** As of the date for this presentation, the VSC cannot accept fax inquiries**



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Creating and Sending an Inquiry (continue)

USCIS congressional liaisons are committed to providing meaningful and timely responses to Members of Congress and their staff. To do so, we follow the following guidelines to help ensure that we satisfy our commitment and your expectations:

- **Telephone Inquires** – Are best used when dialogue requires or when emergency situations exists that requires immediate attention. Congressional offices can typically expect a response by close of business next day. However, telephone access may be impacted by workforce changes due to the current COVID-19 pandemic.
- **Email Inquiries** – Are great for simple status check and requests regarding USCIS policies and procedures. Congressional offices can typically expect an acknowledgement or response within five (5) business days and resolution within 30 calendar days.
- **Written Inquiries** – Are recommended when a case is complicated, and USCIS will need to review documents. Written inquiries should be limited in number, as they take longer to resolve. Congressional office should expect a response within 30 calendar days.



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Creating and Sending an Inquiry (Continued)

Best Practices When Submitting Casework Inquiries in Writing

Use of the dedicated portal - <https://www.uscis.gov/congress/congressional-web-portal/congressional-web-portal>

What are the benefits of using the portal?

- ❖ Allows Congressional Staff to instantly create inquiries upon submission
- ❖ Allows Congressional Staff to use customized fields to submit appropriate constituent information and issues
- ❖ Allows Congressional Staff to upload attached documents to inquiries
- ❖ Provides Congressional Staff with tracking numbers and instructions on how to follow up on their inquiries
- ❖ Eliminates the need for Congressional Staff to send duplicative or separate email messages

Problems with or suggestions about the Web Portal? Please send a message to:
USCISLETS@uscis.dhs.gov



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Creating and Sending an Inquiry (Continued)

Copying others on inquiries submitted by email or the portal – Is it helpful or hinderance? Typically, copying multiple offices on an inquiry results in confusion and may raise questions regarding jurisdiction or ownership of the inquiry. And this may result in duplicate inquiries or the dissemination of conflicting information.

Is there a downside to sending an email to a congressional liaison's direct email address? - YES

Initial email inquiries or follow-up messages submitted directly to a USCIS congressional liaison's direct email address may be missed or misrouted if the address is incorrect. These email messages may also sit unanswered if the liaison to whom it is addressed is out of the office for an extended period of time.



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Creating and Sending an Inquiry (Continued)

Doubling Up or Doubling Down - Using the Portal and Sending Email Inquiries

- ❖ The best practice when submitting case work inquiries to a USCIS congressional unit is to select one method (either email or the portal) and avoid creating multiple inquiries on the same issue related to the same constituent.
- ❖ The portal is the best method for submitting an inquiry.
- ❖ Doubling up or doubling down may result in multiple inquiries, delays and confusion caused when multiple liaisons reach out to subject matter experts or designated points of contact to research and provide information about a particular case or question.



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How to Follow Up on An Inquiry

Proper follow up by telephone - How?

- Please refer the initial response from the USCIS congressional liaison and note the timeframes and essential information provided in the USCIS response
- Make sure you are calling the correct office or service center
- Make sure you are calling the congressional unit and not the general contact center
- In the event you could not reach a congressional liaison, please leave a detailed voice message and provide your best contact information
- Please use the OLA contact list to reach out to congressional unit leadership, when appropriate



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How to Follow Up on An Inquiry (Continued)

Proper follow up by email – How?

- Please do not use a follow up email to open a separate, new inquiry.
- Reply to final response only to seek clarification.
- Please do not reply to final response to ask a different question about the same constituent.
- Please do not reply to open an inquiry about a different constituent.



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USCIS/OLA Privacy Release Requirements

- Effective February 2018, USCIS provided Congressional Staff with revised [guidance](https://www.uscis.gov/congress/congressional-casework/procedures-for-responding-to-congressional-inquiries) (https://www.uscis.gov/congress/congressional-casework/procedures-for-responding-to-congressional-inquiries) on the type of information needed within their offices' privacy for OLA to **release case specific information** in response to congressional casework inquiries.
- In addition to the following minimum privacy release requirements, OLA clarified that privacy releases submitted to OLA should not contain social security numbers in order to protect Personally Identifiable Information (PII).



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USCIS/OLA Privacy Release Requirements (Continued)

USCIS/OLA Minimum Privacy Release Requirements

What the Release Should Contain

- ❖ The name, current address, date of birth, and place of birth of the individual whose information is being requested;
- ❖ The name of the Member of Congress to whom the information can be released and the release names that congressional office as the only authorized recipient;
- ❖ The subject matter to which the requested information relates (e.g., immigration benefit or form number);
- ❖ A statement authorizing release of the information;



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USCIS/OLA Privacy Release Requirements (Continued)

USCIS/OLA Minimum Privacy Release Requirements

What the Release Should Contain

- ❖ A handwritten signature that is either notarized or made under penalty of perjury by the subject of the records, even if outside the United States digital signatures are not acceptable; and
- ❖ A full translation of any non-English text, as well as the translator's certification of competence to translate from the foreign language into English. Anyone, paid or unpaid, can provide a translation as long as the translators certify that they are competent to translate from the foreign language into English.



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USCIS/OLA Privacy Release Requirements (Continued)

USCIS/OLA Minimum Privacy Release Requirements

Who Should Sign the Release

- ❖ A parent if the subject of the records is younger than 14;
- ❖ A legal guardian if the subject has a disability; or
- ❖ An attorney-in-fact if the subject has a power of attorney.

USCIS/OLA Privacy Release Requirements (Continued)

USCIS/OLA Minimum Privacy Release Requirements

What is the Difference Between an Electronically Reproduced Signature and a Computer-generated Signature

- ❖ **Computer-generated signatures** – The type of signature that a bank may request when completing document signatures online. Hence, the person “signing” the document types in his/her signature and a computer-generated cursive version of his or her name appears on the document as a representation of his or her signature. This otherwise referred to as a digital signature. **USCIS does not accept that type of signature.**

USCIS/OLA Privacy Release Requirements (Continued)

USCIS/OLA Minimum Privacy Release Requirements

What is the Difference Between an Electronically Reproduced Signature and a Computer-generated Signature

- ❖ **Electronically reproduced original signatures** – Includes autopen created signatures or the type of signatures that you would produce when you are at a place of business making a purchase and you are asked to place your finger on a screen or pad to sign your name and your signature appears on the receipt or document that you are signing (even though it may not always look like your normal wet/pen written signature). These are considered facsimile signatures (as they are not wet ink signatures, but you are actually using your hand to sign the document). **Hand-drawn screen or pad type signatures are accepted by USCIS**, as are autopen signatures.



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Expedite Request Criteria and Expectations

Every petition or application is important! However, requests for expedited service are **reviewed on a case-by-case basis** and may be granted at the discretion of the office director or higher and must **demonstrate compelling and urgent circumstances**.

- When seeking expedited processing, the burden is on the applicant to demonstrate that one or more of the **expedite criteria** have been met.
- Expedite processing requests must be submitted **in writing and supported** by documentary evidence.
- The requests and supporting evidence must be submitted to the office or center with jurisdiction over the case.
- There is no guarantee a request for expedited service will be approved—even if the request meets one or more of the following criteria.

Expedite Request Criteria and Expectations

USCIS Expedite Criteria are:

- ❖ **Severe financial loss to a company or person**, provided that the need for urgent action is not the result of the petitioner's or applicant's failure to:
 1. File the benefit request or the expedite request in a reasonable time frame, or
 2. Respond to any requests for additional evidence in a reasonably timely manner;
- ❖ **Urgent humanitarian reasons**;
- ❖ **Compelling U.S. government interests** (such as urgent cases for the Department of Defense or DHS, or other public safety or national security interests); or
- ❖ **Clear USCIS error**.



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Expedite Request

Criteria and Expectations (Continued)

Recent circumstances have effectively resulted in additional circumstances under which USCIS will consider requests for expedited processing.

While USCIS publishes some factors that may warrant a favorable exercise of discretion, such factors are neither exhaustive nor individually or collectively determinative. For these reasons, applicants and petitioners should provide **all** information and supporting documents relevant to the circumstances for which they are making their requests for expedited processing.

Note: Offices or Centers reviewing expedite requests do not have to provide a reason for denying an expedite request.



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Expedite Request Criteria and Expectations (Continued)

- ❖ COVID-19 workflow changes and resulting biometric appointment delays are good examples of the circumstances under that USCIS may consider these expanded expedite request criteria.
- ❖ To reduce the COVID-19 related backlog at the ASCs, USCIS has allowed applicants or petitioners to request manual scheduling of ASC biometrics collection appointments as long as USCIS can determine that the circumstances surrounding their request satisfy certain criteria.



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Supporting Documents

What Documents Can/Should Be Sent With An Inquiry

- If your inquiry is seeking case specific information, it should be accompanied by a properly signed privacy release
- If your constituent is seeking expedited processing or specific humanitarian relief, the request should be accompanied by evidentiary documents to substantiate or support the request
- If your constituent is seeking a review or reconsideration based on agency error, the request should be accompanied by documents that support the constituent's belief that USCIS committed an error
- If any documents or statements provided by your constituent is written in a foreign language, please submit a written English-language translation of the document with the foreign language document
- Please do not submit original documents

Ensuring Successfully Processed Inquiries and Meaningful Responses

- Avoid duplicate inquiries or sending the same inquiries to multiple offices
- Try to identify all pending matters and form types that the constituent has submitted to USCIS
- Try to identify the constituent's prior attempts to submit inquiries to USCIS
- Understand that USCIS congressional liaisons may not have immediate access to information related to your constituent's case and may have to conduct research or request file information to assist in answering the question(s) you have asked
- Select one USCIS means of inquiry (i.e., submit your constituent's inquiry either via a USCIS congressional unit or via the USCIS Contact Center, not both)
- Provide sufficient information within the inquiry and be open to discussions with liaisons if additional information or documents are needed to resolve the inquiry



Ensuring Successfully Processed Inquiries and Meaningful Responses (Continued)

- Unless necessary, please do not copy multiple offices or service centers on a message
- Please ensure that your messages do not contain Social Security numbers or other PII
- Please do not share or forward messages written to you or your office to constituents
- Please do not share USCIS congressional unit staff email addresses or other contact information to anyone outside your office



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Questions?



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