



October 12, 2010

# Executive Summary

## Listening Session with the Office of Intake and Document Production

### Background

On August 24, 2010, the Office of Intake and Document Production and the Office of Public Engagement hosted a listening session with stakeholders to address questions and hear feedback concerning Lockbox Operations. Rendell Jones, Associate Director of the Management Directorate, who oversees the Office of Intake and Document Production, provided stakeholders with the following overview of Lockbox Operations:

#### What is a Lockbox?

A Lockbox is a secure facility used by government agencies and private organizations to accelerate the collection and deposit of receipts. USCIS has three Lockbox facilities located in:

- Chicago, IL
- Lewisville, TX
- Phoenix, AZ

Having three facilities allows for continued operation should one facility be temporarily disabled. Each facility has the capacity to handle half of the highest planned daily volume from one other facility. There is also a data entry only facility in South Burlington, VT.

#### Why did USCIS Move to a Lockbox Operation?

- To centralize application and payment processing that was previously distributed among Service Centers and Field Offices
- To increase flexibility to respond to anticipated and unanticipated surges
- To improve security of fee collection
- To provide strategic support for the move toward paperless processing by storing images of applications and routing electronic data

## How Does the Lockbox Operate?

- Receives, opens, sorts and stages mail
- Prepares and scans documents
- Enters remittance and application data into the system
- Applies business rules (e.g. is the right fee paid, is the application signed, etc.) to determine if an application or petition should be accepted or rejected
  - USCIS's goal is to receipt petitions and applications within five days
- Sends a Notice of Action (Form I-797) to applicants and representatives to inform them if their application or petition has been accepted or rejected
  - If accepted, the application is sent to the Center for processing within 48 hours of receipting
- Routes to a Case Resolution Unit if the business rules do not result in a decision to either accept or reject the application
  - Case Resolution Units, comprised of federal government employees, also adjudicate fee waiver requests

Kathleen Stanley, Chief of the Office of Intake and Document Production, also commented on the recent frontlog for the Application for Temporary Protected Status (Form I-821) and the Petition for Alien Relative (Form I-130). USCIS was experiencing a short delay with the intake and receipting of these two application types. The Form I-821 frontlog was resolved prior to the end of the re-registration period for El Salvador and the Form I-130 frontlog shortly thereafter. USCIS is also looking at how it can be more flexible with surges and how to avoid frontlog situations. USCIS noted that the transition to Lockbox processing has been challenging, but through stakeholder feedback a number of issues have been identified and resolved or are on track to being resolved. USCIS discussed a number of these challenges, listened to feedback, and addressed questions raised by stakeholders throughout the remainder of the session.

## Principal Themes

### Lockbox Processing Updates

The Office of Intake and Document Production provided updates on a number of issues they have identified relating to Lockbox processing:

- Applicants were filing an Application for Employment Authorization (Form I-765), an Application for Travel Document (Form I-131), and an Application to Register Permanent Residence or Adjust Status (Form I-485) based on a previously filed petition, and their applications were being rejected because a Form I-797 was not included as proof of the previously filed petition. This was an error in the way the business rules for the intake of these applications were written and a fix for this was put in place on July 3, 2010.
- There was a training issue surrounding the acceptance of a Form I-485 based on an Immigrant Petition for Alien Worker (Form I-140). Form I-485 applications were being rejected if the Form I-140 was pending. This training issue has been addressed and the problem corrected.
- There was also an issue surrounding the acceptance of applications where cross-chargeability provisions apply. The intake system was modified to allow for the current priority date to be applied to either the principal applicant or spouse. This change was made in early July.

- USCIS has heard concerns that rejection notices are difficult to understand. The Office of Intake and Document Production is collaborating with the Customer Service Directorate to change rejection notices to include more plain language.
- USCIS has also identified an issue when a Form I-140 was concurrently filed with Forms I-485, I-131, and I-765. The Form I-797 acceptance notices were being addressed to the petitioner rather than the beneficiary. The Lockbox provider corrected the defect that caused this anomaly in early October.

### **Concerns Raised by Stakeholders**

There was a significant discussion around petitions and applications being rejected either improperly or with incorrect reasoning. Stakeholders identified the following as examples:

- A Form I-485 is rejected because the applicant did not include an Alien Number (A-Number).
- An application is rejected for improper fee when the correct fee was enclosed.
- An application is rejected because the province or county is not included in the address.
- An EB-1 or EB-2 application is rejected because the priority date is not current.

For the Form I-485 applications that appeared to be rejected for a missing A-Number, USCIS informed stakeholders that the application was probably rejected for other reasons that are stated later in the notice and as a result no A-Number was assigned. The system is incorrectly picking up that the A-Number is also missing and putting this on the notice. USCIS understands this is confusing and is working with the Lockbox provider to remove this from the rejection notice. USCIS was aware of a number of the other issues and is working to resolve them as well.

One concern raised during the session was that applicants who file an Application to Replace Permanent Resident Card (Form I-90) because their permanent resident card contained an error are being rejected because the applicant does not submit the original card. Stakeholders noted, however, that their card was retained by USCIS when they previously filed their Form I-90 and it was rejected, and therefore the applicant has no proof of the error. USCIS is currently researching this and will put out a USCIS Update and/or address it in upcoming Frequently Asked Questions (FAQs).

Stakeholders also discussed applications submitted that may be somewhat less common, such as Forms I-485 based upon the Child Status Protection Act (CSPA), 245(i) and Section 13, as well as an Application for Naturalization (Form N-400) based upon Section 319(b), where they have difficulty getting the application accepted at the Lockbox. USCIS is working to make the automated rules more flexible, including ways to address the issues identified above, and will put out a USCIS Update and/or address this in upcoming FAQs once something is in place.

Stakeholders indicated that they often highlight forms or include bright colored paper to bring something to the attention of USCIS. However, the scanners used at intake cannot detect highlighted materials and may cause a black block to appear in the scanned image. USCIS does not encourage highlighting forms and is brainstorming other ways to flag particular items. For now, stakeholders can continue to put “attention supervisor” on packages when they are being resubmitted because of a previously rejected application or petition.

Stakeholders were also particularly concerned with the timeframe for when the Petition for a Nonimmigrant Worker (Form I-129) would move to the Lockbox for intake. USCIS noted that only the Petition for Alien Fiancé (Form I-129F) is taken in through a Lockbox facility. Currently, there is no plan

to move Form I-129 to the Lockbox for intake. Please refer to the Form I-129 Instructions for details on where to file a Form I-129.

### **Scanning, Storing, and Sending for Processing**

USCIS provided clarification regarding the intake process:

- **Scanning:** The Lockbox facility scans all documents that are mailed in with a petition or application, with the exception of the documents mailed in with a Form I-140 or an Immigrant Petition by Alien Entrepreneur (Form I-526). In the case of a Form I-140 the Lockbox provider only scans the Form I-140, the labor certification, and the envelope. In the case of a Form I-526 the Lockbox provider only scans the form and the envelope.
- **Storing:** Currently, the Lockbox provider stores all scanned images. In the future, USCIS will be storing these images. Images for accepted applications will be stored by USCIS for one year. Images for rejected applications will be stored by USCIS for six years. The Lockbox provider will be authorized to delete all scanned and stored images after six months.
- **Sending for Processing:** Once an application or petition has been accepted, the Lockbox provider places all documents in a file folder and forwards the entire file to the appropriate Service Center or the National Benefits Center to initiate processing. USCIS clarified that documents, including colored paper that may be included to bring attention to a particular item, are not removed from a package at the Lockbox facility. Stakeholders asked which USCIS Service Center a Form I-140 is distributed to after filing at the Lockbox. This is determined by where the beneficiary's permanent employment will be located. Please refer to Form I-140 instructions for further details.

### **E-Filing / E-Notification**

Stakeholders asked if there would be an increase in the number of applications and petitions that can be e-filed. USCIS noted that it does anticipate expanding the number of forms that can be e-filed. USCIS is in the process of transforming its business processes, which will increase electronic filing as a whole across all application and petition types. In the interim, the current e-filing system will not be expanded.

Clarification was provided for stakeholders who e-file a Form I-140 and then subsequently file the Form I-485. Stakeholders should send the Form I-485 with evidence of the Form I-140 e-filing to the Lockbox.

If a Form I-140 with a premium processing request is filed concurrently with a Form I-485, it should be filed with the Service Center. All premium processing and accompanying applications received at the Lockbox will be returned to the applicants.

When asked if USCIS could email Form I-797 receipt notices, stakeholders were advised that because it contains personally identifiable information and USCIS does not have a secure network to send it over, the notices cannot be emailed at this time.

There was a stakeholder concern that applicants who submitted the G-1145 to receive a text or email when their application had been accepted by USCIS are not receiving the notification. Stakeholders were asked to email an example of this to [lockboxsupport@dhs.gov](mailto:lockboxsupport@dhs.gov).

### **Urgent Matters and Expedites**

Stakeholders asked if there was a quick fix that could be implemented when a form is improperly rejected on one or more occasions or when an applicant has an urgent matter that may require expeditious processing. USCIS indicated that for now this would have to be done on a case-by-case basis through [lockboxsupport@dhs.gov](mailto:lockboxsupport@dhs.gov). The Office of Intake and Document Production can reach out to the Service Center Operations and the Field Operations Directorates to discuss a case when there has been an issue at intake.

Stakeholders noted that they were formerly able to expedite a biometric appointment when applying for a reentry permit and were wondering if there was still a mechanism for them to do this. The current process USCIS has for this is to ask applicants to write "EXPEDITE" on the top of the application form and on the envelope. These are then sent to the Nebraska Service Center in a colored folder to signal that they be looked at immediately. It is important for applicants to remember, however, that at a minimum, this requires seven to nine days due to mail.

### **Website Enhancements**

The Office of Intake and Document Production will be expanding its presence on [www.uscis.gov](http://www.uscis.gov) to provide more information on its policies and procedures. This will include Filing Tips and Frequently Asked Questions to address many of the concerns raised by stakeholders. Additionally, the "Forms" page of the website will be enhanced to provide greater clarity on the acceptable editions of forms. Rather than simply stating "previous editions accepted" on the website, USCIS will note specifically what editions of a form are acceptable.