



AILA Quarterly Online Filing and Technology Issues Additional Questions and Answers

On Sept. 27, 2023, USCIS and the American Immigration Lawyers Association (AILA) held its fourth quarterly meeting of Fiscal Year 2023 on online filing and technology issues. AILA submitted the following questions prior to the meeting, but we were unable to address them at the time of our meeting.

Topic: Training to USCIS Officers on Customer Service and About the Correct Functionalities Available Through myUSCIS

Q1. USCIS Field Office and Contact Center Hotline representatives continue to refer attorneys who are inquiring about petition-based filings to download or upload documents (e.g., a missing Request for Evidence for Form I-129 petition) through the myUSCIS account, although this feature is not currently available. The examples are both numerous and frequent, as this appears to be a widespread training issue.

Could USCIS advise AILA on efforts to provide more training for local Field Offices and the USCIS Contact Center Hotline representatives on the current limitations of myUSCIS, specifically for attorneys and for petition-based filings?

A1. USCIS will provide training to field and Contact Center staff on the available functionality in the myUSCIS account.

Topic: Fee Waivers

Q2. For form types currently eligible for online filing through myUSCIS, please advise as to the anticipated timeline for when these form types will also be eligible to file fee waiver requests online.

A2. Currently, individuals requesting a fee waiver must file a paper Form I-912, Request for Fee Waiver, with their completed paper benefit request form. We will eventually have this form available for online filing, but do not have a timeframe at present for when that will happen. USCIS has heard from multiple stakeholders about significant demand to make fee waivers available for online filing and has made this a priority. USCIS is also exploring ways to enhance messaging to educate the public about fee waivers, eligibility requirements, and how to request a fee waiver via paper filing.



Recently USCIS issued [new guidance](#) on the fee waiver process and eligibility criteria ([Request for Fee Waiver | USCIS](#)).

Topic: Scanning Capabilities

Q3. Would USCIS share process information on how a petition or application is scanned into the USCIS system? What mechanisms are in place for quality assurance? Additionally, are the filings scanned in color or black and white? Are they scanned single or double sided?

A3. USCIS Lockbox service providers image all scannable documents received from a petitioner, applicant, or requestor in black and white, front and back, and single-sided. The Lockbox service providers also perform a quality review of work in process and have established quality controls to ensure that images meet acceptable quality measurements based on established JPMC/USCIS business requirements. The scanned images are then transmitted from the Lockbox to USCIS backend systems through a secure connection. These scanned images are accessible to adjudicators.

Topic: New Form Types

Q4. AILA members are eager for the launch of new form types available on e-Request to enable them to inquire about the non-delivery of documents, including Form I-360 petition approval notices. Please provide an update on any plans to expand the categories and specifically which form types.

A4. At this time, we do not have plans to add additional form types to the e-Request tool. Instead, our focus is on increasing self-service within the USCIS Online Account, which will eventually include the current e-Request functionality. Target timeframes will be established in late Fiscal Year 2024.

Topic: Petitions and Applications Forwarded to the National Visa Center

Q5. AILA continues to receive reports from our members of applications and petitions approved by USCIS that are not received in a reasonable period of time by the Department of State National Visa Center (NVC) after USCIS approval. Would USCIS consider adding an additional option on the e-Request page for following up on approved applications and petitions that have not been received by the NVC after a standard reasonable period of time?

A5. Much of this process is automated, so we would be interested in reviewing any specific examples you may have related to the concern. At this time, we do not have plans to add this specific option to the e-Request tool.



Topic: Expedite Requests

Q6. As requested during our Dec. 2022 meeting, would USCIS consider adding an expedite request feature to the e-Request tool to improve access to services and provide opportunities for attorneys and applicants to upload the required supporting materials?

A6. USCIS has prioritized many Premium Processing efforts and continues to have discussions regarding expedite processes and guidance. USCIS is currently analyzing requirements to allow users to submit an online expedite request along with a document upload feature. The target timeframe is Fiscal Year 2025.

Topic: Expansion to Attorneys/Representatives

Q7. AILA was pleased to note that USCIS launched the myProgress personalized processing times estimates for Forms I-765 and I-131 on July 12, 2023. Currently, attorneys must ask their clients to provide screenshots of their client accounts to get information on the estimated processing time. Can USCIS provide a timetable on when this expansion can be accessed by attorneys or representatives?

A7. On November 21, we announced that we are expanding myProgress to Form I-821, Application for Temporary Protected Status, and Form I-485, Application to Register Permanent Residence or Adjust Status. myProgress will initially only be available for family-based or Afghan special immigrant I-485 applicants. We plan to expand myProgress to additional forms this fiscal year; however, we will share more with stakeholders, including attorneys or representatives, when updates on our expansion efforts are available.

Topic: Calculations for Personalized Processing Time Estimates

Q8. AILA understands that the personalized processing time estimates displayed in myProgress are based on “cases similar” to that of the applicant. Can USCIS provide additional information on the specific data used for the calculation by which the personalized processing time estimate is reached?

A8. myProgress (formerly known as personalized processing times) uses a data-driven model incorporating elements such as pending inventory, processing location, and form subtype, so we can deliver a more personalized estimate. Each model has been developed based on more than one million cases. The use of such a broad data set allows us to provide more accurate predictions that are in line with past cases experiencing similar processing steps. While estimates are based on the specifics of each case and historical patterns, they are not a guarantee of speed and may under- or overestimate the actual time it took to process a case. There are instances where a case decision may take longer than the initial myProgress displayed (for example, if the applicant is sent a Request for Evidence, which may delay the processing time). The ability to inquire about a case is still based on times posted to our Check Case Processing Times webpage. Consequently, applicants will still need to visit that webpage to determine if they are



eligible to file an [Outside of Normal Processing Times service request](#).

Topic: Access to Online Tools by AILA Members Practicing Outside the U.S.

Q9. For the several hundred AILA members who practice outside of the United States, electronic filing and case status notifications will be a tremendous assistance in managing benefits requests pending with USCIS. Please advise as to the steps USCIS is taking to ensure that all filing ability, information related to a case, and customer service functions are accessible to both U.S. licensed attorneys and authorized representatives submitting benefits requests who are overseas.

A9. USCIS' online account and online self-service tools are generally available from any location. We would be interested in reviewing specific examples, if any, you may have related to the concern.

Topic: Access Protection by Third Party Systems

Q10. How is USCIS addressing the issue of access protection for online filing systems by third parties that fall within the confines of 8 CFR § 292.1 to prevent the unauthorized practice of immigration law by individuals both inside and outside of the U.S.?

A10. USCIS does not currently support online filing by third party systems.