

60-day FRN Public Comments
e-RequestTool-001 – New
FR: 87 FR 4275
Comment Period: 1/27/2022-3/28/2022

Comment #	Public Comments	USCIS Response
Comment 1.	Commenter: USCIS-2022-0001-0007 Amit Nigam	
	<p>The USCIS historic processing times published at https://egov.uscis.gov/processing-times/historic-pt do not match with any of the processing times displayed at their processing times page. USCIS should provide explanation how this historic processing time data is being prepared. e.g. I-824 current time is around 2 years, however historic processing times page shows just 2.6 months. Further USCIS has confirmed that they spend 60-90 mins in processing an application. however due to long delay in processing, applicants make numerous calls to USCIS to know status and for raising expedited requests. Each of these calls wastes around 30 mins of USCIS. then finally USCIS rejects the request. USCIS should instead put all this staff in application processing, that will reduce the backlog. I-824 form is just for confirmation of action on already approved application, still USCIS takes 2 years for it's processing. This is sheer waste of resources and time. The confirmation of approved application should be online like i-94 now can verified anytime online.</p>	<p>Response: Thank you for your comment. The comment pertains to adjudication processing times in general and does not provide specific comments about the information collection.</p>
Comment 2.	Commenter: USCIS-2022-0001-0004 Cleveland Clinic Foundation/non-profit healthcare institution	
	<p>The section where you are to enter the beneficiary or petitioner name is very confusing and often leads to</p>	<p>Response: USCIS only communicates with the applicant or petitioner for the form filed or an authorized legal representative</p>

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	<p>denial of requests even if the person making the request is the petitioner. See comment on attached document.</p> <p>It would be helpful here to separate these two. Have an option for 'Beneficiary' and an option for 'Petitioner/Petitioner representative'. Very often I file this as petitioner and am told I cannot make inquiries because I am not the petitioner. Also, it isn't clear do we enter our name as representative of the petitioner or do we enter the petitioner's name - sometimes (employment based applications) the petitioner does not have a first, middle or last name but is a company/organization name i.e. ABC Manufacturers and Co. Also, a date of birth is not necessary if you are the petitioner, or are they asking for the beneficiary's date of birth?</p>	<p>who has submitted a properly completed Form G-28, Notice of Entry of Appearance As Attorney or Accredited Representative. A beneficiary is not a party to the filing and is not entitled to communicate with USCIS about a petition that was filed on behalf of the beneficiary. For representatives, you may obtain the case status and other updates on a petition or application you have filed on behalf of a client by using your online representative account via myUSCIS.gov or contact the USCIS Contact Center.</p> <p>USCIS will consider adding functionality that will allow employers to use this tool in future revisions.</p>
Comment 3.	Commenter: USCIS-2022-0001-005 Anonymous	
	Since it appears to be the same (massively outdated) creature it has been for years, my comments are below.	Response: Thank you for your comment. No additional comments were listed and USCIS did not receive any attachments.
Comment 4.	Commenter: USCIS-2022-0001-0003 Greg Siskind	
	This is welcome and will hopefully mean an improvement in overall customer service. Of course, providing an easy channel to notify the agency is only valuable if the government commits to dealing with these requests in a timely manner. USCIS should commit to a response time for the different types of requests and provide the opportunity to speak to a	Response: USCIS appreciates your support for the e-Request tool. USCIS is committed to customer service and working hard to improve the way we communicate with individuals and authorized legal representatives about pending cases and other information requests. USCIS also is working to expand the ways in which we can provide information to our customers, especially for requests that can be answered by the publicly available information on the

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	<p>person about the problem if there is no meaningful response in a timely manner.</p>	<p>uscis.gov website. As we transition more forms to the online platform, more customers should be able to obtain case status and other information through their online accounts which will minimize the need to schedule information appointments at local field offices or call the USCIS Contact Center.</p> <p>After submitting an inquiry, the customer should receive a confirmation notice that contains the estimated response time.</p>
Comment 5.	<p>Commenter: USCIS-2022-0001-0006 Amit Nigam</p>	
	<p>Ban on the Lawful Permanent Residents Families : I wanted to apprise you about the plight of a few hundred families including mine that are going through terrible times. Current US policies are such that they virtually put a ban on spouses and children of Lawful Permanent Residents to come to the US. There is no temporary visa or parole available for them to reunite. They have to follow consular processing via I-824 also called 'follow to join'. The current processing time at USCIS is between 16.5 months to 24.5 months. This is just the first step of a long journey of consular processing. Once USCIS approves, the application will go to the NVC, then to the consulate, each of those steps have their own long wait times. Overall currently it is taking around 2.5 years to let a mother see his children. Many parents have to live their lives alone in a country with no family members. This is very painful and this driving parents and children to depression. This is beyond comprehension why spouse and children of LPRs are barred from entering US, instead</p>	<p>Response: Thank you for your comment. The comment pertains to I-824 adjudication processing times in general and does not provide specific comments about the information collection.</p>

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	<p>family reunion should be promoted. All developed countries take a humane approach of providing a bridge visa to immediate families when their permanent resident application is pending. If that approach can't be taken, then at least separated families cases should be prioritized. This policy of not letting spouses and children come to US, pushing families on the edge and most have already moved out of the US or planning to do so. As most of the I-824 cases are employment based, it causes a substantial dent in the economy.</p> <p>DHS/USCIS should provide a way to spouses and children who are separated and were already in the US previously, their bio-metrics are already with USCIS, to come to US to reunite the families.</p>	
Comment 6.	<p>Commenter: World Relief USCIS-2022-0001-0008</p>	
	<p>I am writing on behalf of World Relief in to provide input in the collection of information in relation to the e-Request Tool (Docket No. USCIS-2022-0001) published in the Federal Register by the Department of Homeland Security on January 21, 2022. World Relief appreciates the opportunity to provide input on how best to engage petitioners, applicants and their representatives in the processing of their USCIS applications. We are filing these comments by the deadline of March 28, 2022.</p> <p>World Relief is a global Christian nonprofit organization founded by the National Association of Evangelicals (NAE) in 1944 to assist victims of World War II. The mission of World Relief is to empower the local church to serve the most vulnerable to</p>	<p>Response: USCIS appreciates your support for the e-Request tool and our efforts to provide another avenue for our customers to receive information. USCIS believes that expanding the type of information and the ways in which we provide information to our customers, including through the USCIS website and use of online accounts, will allow our customers to obtain information for themselves. Use of publicly available tools and the online account also will help reduce the number of calls made to our USCIS Contact Center and allow us to more quickly respond to inquiries submitted through Case Status online.</p> <p>In terms of access of representatives to case status information, USCIS currently allows representatives to create online accounts for applications, petitions, or requests they file on behalf of their clients. Through the representative account, attorneys and</p>

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	<p>overcome violence, poverty and injustice. Through love in action, it brings hope, healing and restoration to millions of the world’s most vulnerable women, men and children through vital and sustainable programs in disaster response, health and child development, economic development and peacebuilding. Since 1979, World Relief has resettled roughly 300,000 refugees and currently offers programs to encourage family integration to refugees, asylees, victims of human trafficking, and other immigrants in the United States. World Relief provides immigration legal services through attorneys and Department of Justice accredited representatives in numerous states in the U.S. World Relief currently has 16 active recognized and accredited sites and is offering technical legal support to approximately 45 church-based programs who are either currently recognized and accredited or in the application process.</p> <p>Response to Request for Public Input</p> <p>World Relief welcomes the opportunity to provide USCIS with input regarding the e-Request tool on USCIS’s website. As an organization providing direct immigration legal services to particularly vulnerable communities, we are in a unique position to contribute to the conversation on the effectiveness and burden of the information collection of the e-Request tool.</p> <p>Evaluate whether the proposed collection for information is necessary for the proper performance</p>	<p>accredited representatives can obtain information about case status [and pending actions that require responses from their clients.] Attorneys and accredited representatives who do not have an online account may mail the completed G-28s to USCIS and USCIS can link these G-28s to the appropriate representative account. If a G-28 is not properly submitted, USCIS will not allow the G-28 to be linked to an individual’s account until the individual or representative submits a new properly-filed G-28.</p> <p>Finally, the e-request tool is not a case management system, so it is not designed to accept G-28s that are associated with a specific application, petition, or request.</p> <p>The e-request tool is designed for requesting disability accommodations for a scheduled USCIS appointment. Examples of USCIS appointments are interview, fingerprint, biometrics, and Oath Ceremony.</p> <p>The e-request tool is not designed to accommodate requests for rescheduling of interviews or biometric services appointments. USCIS currently only automatically reschedules some biometrics appointments. However, customers may call the USCIS Contact Center to request biometrics rescheduling. .</p> <p>The e-Request tool is designed to capture the basic information needed for USCIS to respond to an inquiry. The data collected usually corresponds to the information an applicant, petitioner, or requester submits on his/her form including name, address, date of birth, A-number etc. If you believe that the information submitted on behalf of a client is incorrect, you may contact the USCIS Contact Center for more information.</p>

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	<p>of the functions of the agency, including whether the information will have practical utility</p> <p>The e-Request tool is very necessary for the proper functions of the agency. Petitioner, beneficiaries, applicants and their representatives have very few means of communicating with USCIS when issues of concern arise. At present, the Customer Service line is a cumbersome tool at best to use and often fails to lead to useful information or results. USCIS should provide a streamlined process for resolving issues and questions individuals have on the cases pending before USCIS. This e-request tool is one such avenue. The information provided through this tool will have the practical utility of allowing individuals to resolve case specific issues, as they would have otherwise done in the past through an InfoPass appointment. The following input addresses the types of information collection that would be most useful to legal representatives and applicants and how to make the e-Request system the most practical to those who will use it.</p> <p>Case Outside Normal Processing Time Inquiries</p> <p>The USCIS case processing backlog is a well-known problem for which having a well-working method of inquiring into case processing status is essential. Case processing times change vastly depending on type of application and which service center is processing the application. In the past, applications were handled by service centers closest</p>	<p>Currently an inquiry for a non-delivery of a receipt notice is processed via the USCIS Contact Center. We are exploring the possibility of adding the missing receipt notice type inquiry to the online tool in the future.</p> <p>The processing timeframes provided on the USCIS Check Case Processing Times webpage (https://egov.uscis.gov/processing-times/) and are updated monthly with the latest data available. Processing times show the average amount of time it took us to adjudicate a particular form based on when we received the application until we decided the case. Online responses for SRMTs are discussed in the Policy Manual located at this link: https://www.uscis.gov/policy-manual/volume-1-part-a-chapter-4.</p> <p>NBC processing times are posted for applications that are adjudicated by the NBC (I-765, I-131, I-102, I-800, I-600). The exception to this is Adoption based I-130's. Processing times for these Forms should follow the processing times based on the office of jurisdiction and not the NBC.</p> <p>The NBC performs pre-processing tasks on some form types, which are later sent to field offices for adjudication. For these forms, the pre-processing time is ultimately included in the respective field office processing time calculation.</p> <p>The commentor requested that an additional free text field be added to the e-Request tool for the applicant to add any additional information that they deem relevant to the inquiry. USCIS will consider adding additional fields as a part of a future revisions of the tool. USCIS will not be making any changes as a result of this comment.</p>

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	<p>to their physical location. Now applications are sent to service centers not according to physical location. It is incredibly difficult to predict ahead of filing how long a case will be processing before filing and the receipt notice is received. Once filed and the service center is known, case processing times vary immensely from service center to service center.</p> <p>Transparency in processing is essential in assisting petitioners, beneficiaries and applicants in understanding the process. USCIS should use this e-Request tool to increase the transparency in their processing times. Practitioners have noticed that USCIS has stopped providing an expected response date for e-inquiries such as “case outside of normal processing time.” Other legal representative feedback is that it is rare to receive a response to an outside normal processing time inquiry and if a response is received, it is even rarer to receive the response in the period stated to expect a response. Practitioners appreciate the ability to use the e-Request tool to inquire about cases outside normal processing times. However, they are concerned that they will continue receiving ineffective responses from USCIS as has been the recent trend.</p> <p>Increasing agency transparency can begin by providing a response to these inquiries and providing a response in the period expected. Without effective e-Request tool responses to these inquiries petitioners, beneficiaries and applicants then must try to follow up with USCIS Ombudsman on these</p>	

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	<p>“outside normal processing time” requests. However, given the volume of processing time requests due to USCIS backlogs, the USCIS Ombudsman can no longer provide case assistance services for these requests. This development leaves applicants without an effective means of inquiring into the status of long pending cases. Legal practitioners and their clients hope this opportunity to provide feedback into e-Request tools will increase the effectiveness of these outside processing time requests.</p> <p>Along with cases outside of posted normal processing times, practitioners have concerns regarding cases with IOE receipt numbers. There are applications assigned IOE case numbers that list the National Benefits Center as the office processing the case. USCIS case processing times do not provide an option to look up NBC case processing times. The on-line tools state that if there are no posted processing times for how long it will take then inquiries can be sent in six months after the last action taken. It is conceivable that even using six months as the guide post in these cases the USCIS response will be that these cases are not outside normal processing times. Practitioners and clients will have no means of knowing when to submit inquiries in this instance.</p> <p style="text-align: center;">Allowing Attachments of Forms G-28 to e-Request Inquiries</p> <p>Legal representatives have reported frequent instances where applications they file on behalf of</p>	

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	<p>clients are recorded without the Form G-28 that was submitted with the application being recorded by USCIS. Representatives have even seen this occur when filing fee checks are stapled to Form G-28. The filing fee is cashed but the G-28 is not recorded and the representative is not listed as the attorney/representative of record.</p> <p>When Form G-28s are not recorded, legal representatives often cannot obtain information from USCIS without submitting an additional G-28 to be added to the A file. For the e-Request tool to be more efficient, there should be a means of attaching a Form G-28 to the request so that representatives whose G-28s were not recorded, or representatives newly hired to represent in an already filed case, can submit their G-28s and make inquiries into case status.</p> <p>No Receipt Notices Therefore no Receipt Numbers</p> <p>Another issue confronting legal representatives and clients is not receiving receipt notices from USCIS. USCIS has improved the backlog with issuing initial receipt notices, but representatives still report that some receipt notices are taking a long time to be issued or are not received.</p> <p>The e-Request tool allows for an option to report missing notices. In the drop down menu for notice type, it does not include receipt notices as an option. Representatives would have to put other and specify receipt notices. Receipt notices are delayed</p>	

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	<p>or go missing frequently enough that adding receipt notices to this drop down menu should occur.</p> <p>When receipt notices are not received, legal representatives and clients do not have a receipt number for reference in making inquiries. Representatives are concerned that without a receipt number they will not be able to utilize the e-Request tool, as inquiries will not be accepted for submission without the receipt number.</p> <p>Representatives can make receipt notice inquiries through the lockbox email, assuming the applications were filed at a lockbox. The other option is the Customer Service number which is extremely cumbersome and does not often yield answers. For the e-Request tool to be at its most effective, it should allow for all inquiries that need to be made including when receipt notices are not received. Therefore, allowing for a check box for no receipt number or some similar option when there is no known receipt number would be beneficial.</p> <p>Mistakes in Input in USCIS Case System</p> <p>Another area legal representatives have expressed concern about is when information inputted in the e-Request form does not match what was recorded by USCIS in the system. Representatives have commented that there are occasions where they attempt to submit an e-inquiry and are completing the form with the correct client</p>	

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	<p>information but they USCIS system will not accept the inquiry for submission stating that the information is not correct. The e-inquiry system does not specify where the issue is with the information provided. The representatives are using the correct information, and the information provided on the filed forms, yet it does not match what was in the USCIS system, rendering the e-Request ineffective.</p> <p>To make the e-Request system most efficient, including an open field where additional information can be provided that is not on the e-Request form would be useful to practitioners and clients alike. This would allow practitioners and clients to provide greater detail into the problem at hand.</p> <p>Biometrics rescheduling</p> <p>The current system for biometrics rescheduling requires applicants to call the Customer Service number before the scheduled biometrics appointment to request rescheduling. Many times clients miss biometrics appointments unexpectedly. The current understanding is that if a biometrics appointment is missed USCIS will automatically reschedule once. This practice however provides little assurance to clients. The risk to clients in missing a scheduled biometrics appointment is that USCIS will deem the application abandoned and deny the pending application.</p>	

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	<p>Clients miss biometrics appointments unexpectedly for a number of reasons. It is also not unknown for a biometrics appointment to come with very little if any notice of the date and time, and may be at a date and time the client is unavailable. It would be extremely useful to legal representatives and clients to submit biometrics rescheduling requests through the e-Request system and to allow those requests to be submitted regardless of the reason for the request. USCIS should allow rescheduling requests for all reasons not only for good cause in advance of the appointment. USCIS should allow applicants to request a rescheduled biometrics appointment whether they knew about the need to reschedule before the appointment or not. Allowing the submission of a reschedule request after the appointment date, will provide applicants with the peace of mind that they have notified USCIS that they did not abandon their application and wish to reschedule that missed appointment.</p> <p>Thank you for the opportunity to provide input into the e-Request tool. We greatly appreciate USCIS's efforts to actively listen to stakeholders and improve the services it provides. We look forward to continuing communication on how best USCIS and the petitioners, beneficiaries and applicants who use their services can continue to improve communication and better access USCIS services. Should you require additional information please feel free to contact me at jfunk@wr.org.</p>	