The Citizenship & Immigration Services Ombudsman
2025 Annual Report
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Office of the Citizenship &
Immigration Services Ombudsman
U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

August 18, 2025

The Honorable Charles E. Grassley Chairman Committee on the Judiciary United States Senate Washington, DC 20510	The Honorable Jim Jordan Chairman Committee on the Judiciary United States House of Representatives Washington, DC 20515
The Honorable Richard J. Durbin Ranking Member Committee on the Judiciary United States Senate Washington, DC 20510	The Honorable Jamie Raskin Ranking Member Committee on the Judiciary United States House of Representatives Washington, DC 20515

Dear Chairmen and Ranking Members:

The Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) is pleased to submit, pursuant to section 452(c) of the Homeland Security Act of 2002, its *2025 Annual Report*.

Sincerely,

Ronald J. Sartini
Citizenship and Immigration Services Ombudsman

2025 Ombudsman's Message

I present this report at a time of great change in how the United States' immigration laws are administered. On November 5, 2024, the American people returned President Donald J. Trump to the White House with an overwhelming mandate to restore law and order, largely through enforcing immigration laws and administering those laws in the American interest.

The CIS Ombudsman's *Annual Report* is furnished to the Senate and House Judiciary Committees in the middle of the year. Typically, the report addresses United States Citizenship and Immigration Services' (USCIS) operations during the previous calendar year and looks forward to the year in which the report is written.

This year's report does much the same, but with the understanding that recently confirmed USCIS Director Joseph B. Edlow will operate USCIS differently than his immediate predecessor. Still, there is benefit in Congress hearing the CIS Ombudsman's assessment of what USCIS did in 2024 and what improvements USCIS can make.

Last year, USCIS did not furnish a response to recommendations made by the CIS Ombudsman in time to be included in the *Report*. Due to new USCIS leadership's desire to update draft responses to last year's CIS Ombudsman's recommendations, USCIS' responses will again not be included in this year's *Report*. However, USCIS' responses and the CIS Ombudsman's subsequent updates to the 2024 recommendations will be provided to Congress in an addendum to this *Report*.

~~**This year's *Report* is For Official Use Only:** I request the *Report* not be disseminated outside of the Committees, and only be accessed by Committee Members and staff with a need-to-know. Please consult with me prior to any further dissemination or disclosure of these materials beyond Committee staff and Members, including, but not limited to, use of the documents as exhibits during hearings, reports, or other public statements. The *Report* identifies specific security vulnerabilities in USCIS' operations that Congress deserves to know about but, if known by the public, can compromise the integrity of the immigration system.~~

Finally, following President Trump's[1] and Secretary Kristi Noem's guidance in relation to efficiency, I directed the termination of the contract that had the sole purpose of designing the *Report*, which had a cumulative total value of $147,000 over five years. This year's *Report* was designed by me and my Deputy, Rudy Gomes, at no additional cost to taxpayers.

Ronald J. Sartini
Citizenship and Immigration Services Ombudsman

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[1] Executive Order, *Establishing and Implementing the President's "Department of Government Efficiency,"* January 20, 2025.

Executive Summary

In this *2025 Annual Report*, the CIS Ombudsman reviews the events and issues of Calendar Year (CY) 2024, as well as some of the key developments that occurred in early 2025. The *Report* offers recommendations to USCIS for addressing these problems.

Exploitation of the I-134A Process: Fraud, Operational Failures, and Systemic Vulnerabilities

The Form I-134A, *Online Request to be a Supporter and Declaration of Financial Support* process for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV) and Uniting for Ukraine (U4U) parole programs lacked adequate safeguards, enabling fraud, exploitation, and inefficiencies.

Recommendations:

1. Institute basic screening measures to flag suspicious filings, such as duplicate or skeletal applications.
2. Allow security-focused staff to focus on fraud detection rather than administrative tasks.
3. Charge a filing fee to deter frivolous or fraudulent filings.
4. Mandate biometrics collection for more forms.

Document Authentication at Application Support Centers (ASCs)

ASCs rely on manual visual inspection of identity documents, which is insufficient to detect forgeries. The absence of document authentication technology creates vulnerabilities in the immigration system.

Recommendations:

1. Deploy document authentication devices at all ASCs to verify identity document security features and detect counterfeit documents.
2. Scan and store all identity documents in a centralized repository for enterprise-wide access.
3. Staff and train a team of document authentication experts to analyze trends and support field staff.

Digitizing USCIS' Records

USCIS' reliance on paper-based processes and decentralized scanning operations creates inefficiencies, security risks, and delays. Inconsistent file formats and lack of Optical Character Recognition (OCR) hinder fraud detection and information sharing.

Recommendations:

1. Consolidate scanning contracts to standardize quality and reduce costs.
2. Produce digitized files in a consistent, searchable format with metadata tagging.
3. Leverage OCR and Artificial Intelligence to create fully searchable records.
4. Expand electronic filing capabilities and require electronic submissions for all eligible forms.

Addressing Typographical Errors in Personally Identifiable Information

USCIS has seen a significant increase in agency-made typographical errors in secure identity documents (e.g., Permanent Resident Cards). These errors undermine system integrity and create security vulnerabilities.

Recommendations:

1. Enhance data quality checks at the Lockbox to reduce errors during digitization.
2. Improve quality assurance during processing to catch and correct errors before document issuance.
3. Prioritize and expedite the correction of agency-made errors.
4. Improve communication with applicants and petitioners regarding correction requests.

USCIS' Role in Resolving Notice to Appear (NTA) Service Errors

Unfiled NTAs result in dismissal of removal cases, undermining enforcement and creating inefficiencies. USCIS must dedicate significant resources to address these issues, diverting attention from its core responsibilities.

Recommendations:

1. Leverage technology and improve coordination with Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) to identify unfiled NTAs earlier in the process.
2. Establish a centralized process for resolving unfiled NTAs to ensure consistency and efficiency.

The challenges identified in this report highlight systemic weaknesses that compromise the integrity of the immigration system, national security, and operational efficiency. By implementing the recommendations outlined above and explained in-depth below, USCIS can strengthen the lawful administration of immigration benefits and reduce security risks.

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Introduction

"Individuals who are outside of the United States may be able to request parole into the United States based on urgent humanitarian reasons or a significant public benefit."[2] The parole process typically involves a petitioner in the United States filing a Form I-131, *Application for Travel Documents, Parole Documents, and Arrival/Departure Records*, on behalf of an individual outside the United States.[3] An individual outside the United States can also file a self-petition on Form I-131. Form I-131 typically must be accompanied by Form I-134, *Declaration of Financial Support*, signed by the financial sponsor.

In April 2022, USCIS announced the creation of a new parole program, U4U, which allowed Ukrainians displaced by war to travel to the United States and be paroled for a two-year period at a U.S. Port of Entry (POE). While applicants for this program were initially required to include Form I-134, beginning on January 6, 2023, USCIS required the submission of Form I-134A.

On that same date, USCIS introduced a new parole program called CHNV. Potential supporters for an individual under the U4U or the CHNV programs were required to file Form I-134A. In 2024, the form was leveraged for Cuban, Colombian, Ecuadorian, Guatemalan, Haitian, Honduran, and Salvadoran family reunification parole (FRP) processes.[4]

Form I-134 may be used in any case where an alien is potentially inadmissible on public charge grounds but where there is no requirement for the submission of a Form I-864, *Affidavit of Support Under Section 213A of the INA*.[5] Form I-134 documents the finances of a sponsor who resides in the United States.

Form I-134A begins the process of applying for parole under the U4U, CHNV, or FRP programs. The supporter can be an organization, business, or other entity. Each supporter must file a separate I-134A for each beneficiary, including the derivative spouse and children of the principal parole beneficiary. No specific monetary or other support is required of the supporter, but the supporter is responsible for ensuring the beneficiary has appropriate

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[2] Humanitarian or Significant Public Benefit Parole for Aliens Outside the United States | USCIS.
[3] Application for Travel Documents, Parole Documents, and Arrival/Departure Records | USCIS.
[4] Federal Register :: Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Online Request to be a Supporter and Declaration of Financial Support.
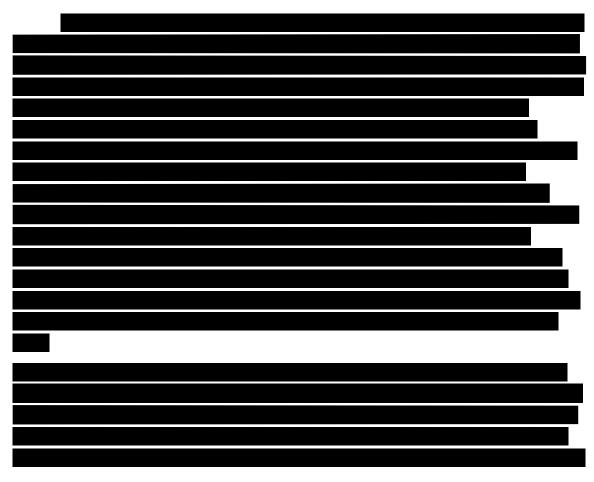[5] Chapter 6 - Affidavit of Support Under Section 213A of the INA | USCIS Policy Manual.

housing and access to services that would aid the potential parolee's adjustment to life in the United States.

Unforced Errors

By 2024, the U4U, CHNV, or FRP programs exploded USCIS workloads such that 2021-2024 saw the largest immigration surge in American history.[6] Form I-134A was the second-most filed form across all USCIS product lines.[7]

In July 2024, operational leadership became so concerned with how USCIS leadership required the programs to be run, they bravely sent a 23-page memorandum to then-Director Ur M. Jaddou and Deputy Director Jennifer Higgins outlining grave concerns about the programs' security flaws, even as these programs constituted one of the White House's highest policy priorities. The CIS Ombudsman applauds these career civil servants for their willingness to speak truth to power. The memo's concerns are summarized in its introductory passages (emphasis added):

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[6] Recent Immigration Surge Has Been Largest in U.S. History - The New York Times, December 11, 2024.
[7] USCIS memorandum, *I-134A U4U/CHNV Process Review*, July 2024.

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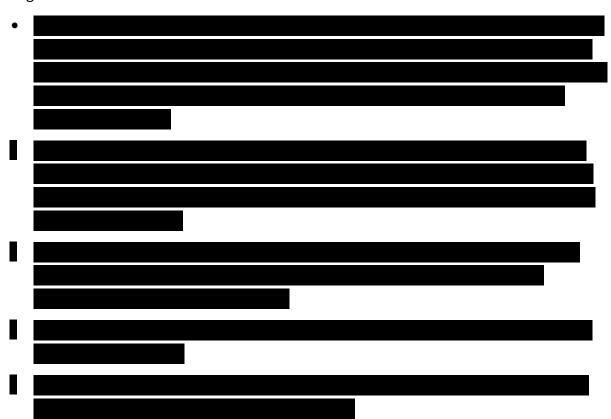███████████████████████████████████

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Just some of the USCIS Fraud Detection and National Security Directorate's (FDNS) alarming findings include[9]:

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The atrocious vulnerabilities outlined above no longer exist, as President Trump put an end to them the day he was inaugurated.[10]

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[8] *Id.*
[9] *Id.*
[10] Securing Our Borders – The White House, January 20, 2025.

Recommendations

With the understanding that the various processes described above are no longer in place, the CIS Ombudsman's recommendations are:

1. Institute basic screening measures to automatically flag suspicious filings

Many USCIS systems have basic data-based rules in place to flag suspect or inadequate applications. Those safeguards were not instituted for I-134As. System development should be prioritized to institute common sense processing flags. Such safeguards include flagging applications with deficiencies such as[11]:

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2. Allow security-focused staff to do security-focused work

Some FDNS staff were reassigned to perform administrative work related to processing I-134As, as reviewing and approving I-134As was deemed a Biden Administration priority.

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3. Charge a fee for all filings

The public is often told the legal immigration system does not cost the American taxpayer money because benefit applications typically cost significant sums to file. However, the Biden Administration radically altered the paid/free application balance by vastly expanding the number of asylum and parole applications accepted, which resulted in a request for $14

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[11] USCIS memorandum, *I-134A U4U/CHNV Process Review*, July 2024.
[12] *Id.*

billion in emergency funding – in part to cover this self-inflicted funding gap.[13] One of the forms that was part of this paradigm shift was Form I-134A, for which former USCIS Director Ur Jaddou chose not to assess a fee.

When the processing cost of a form is not reimbursed by the applicant or petitioner, USCIS either effectively recovers the costs via raising costs on those who file fee-bearing forms or by asking Congress to appropriate more taxpayer money to USCIS. This approach either imposes an unnecessary burden on taxpayers or increases costs on those paying fees to file other forms.

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██[14]

4. Mandate biometric collection for more forms, including Form I-134

Forms I-134 and I-134A do not typically require biometrics because they are not petitions or applications that lead to the granting or changing of a beneficiary's immigration status. However, we have seen through the Biden Administration's heavy reliance on Form I-134A to import millions of aliens who had no means of supporting themselves, and no actual sponsor with the means or intent of supporting them in the United States, that massive fraud can be committed by way of sponsor forms.[15] Not only does this fraud wind up costing taxpayers untold billions of dollars to support aliens who do not have the means to pay for their own healthcare, children's education, housing, etc.,[16] but it adds to communities' criminal element.[17] Aliens who enter the country on the back of knowingly false supporter submissions are more likely to be involved in criminal enterprises or might be pressured into criminal activity by supporters engaged in criminality.[18]

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[13] American Immigration Council, *Biden's Emergency Funding Proposal Seeks $14 Billion for Immigration System From Congress*, October 25, 2023.

[14] USCIS memorandum, *I-134A U4U/CHNV Process Review*, July 2024.

[15] DHS suspends 'parole' program amid rampant fraud - Washington Times, August 2, 2024.

[16] Committee on Homeland Security Majority Report, *The Historic Dollar Costs of DHS Secretary Alejandro Mayorkas' Open-Border Policies: Phase 4 Interim Report*, November 13, 2023; Rector, R (January 17, 2024) Testimony before the Subcommittee on Oversight and Investigations, U.S. House Committee on Energy and Commerce, U.S. House of Representatives; Kirchner, J (May 8, 2024) Testimony before the House Budget Committee, U.S. House of Representatives; Swagel, P (October 2, 2024) *Re: Emergency Medicaid Services for Certain Non-U.S. Nationals* [Letter], Honorable Jodey Arrington.

[17] Interim Staff Report of the Committee on the Judiciary and Subcommittee on Immigration Integrity, Security, and Enforcement, *The Biden-Harris Administration's CHNV Parole Program Two Years Later: A Fraud-Ridden, Unmitigated Disaster*, U.S. House of Representatives, November 20, 2024.

[18] *Id.*

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████████████████████████████ Among the technology currently deployed and available to USCIS today, none is better or more certain than biometrics.

Biometric screening in the context of supporter forms would mean the U.S.-based supporter would have to appear at an Application Support Center (ASC) to have their fingerprints scanned, a face photograph captured, and provide an electronic signature. Requiring a supporter to appear at a facility on a given day and time to tender biometrics immediately eliminates a whole swath of fraud, and in particular eliminates the high-volume supporter petitions seen in the I-134A debacle. Many criminals will not expose themselves to the light of day, let alone appear at an ASC every time they wish to file a supporter form. The CIS Ombudsman recommends USCIS adopt this commonsense change immediately.

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[19] USCIS memorandum, *I-134A U4U/CHNV Process Review*, July 2024.
[20] *Id.*

Document Authentication at Application Support Centers

ASCs are USCIS offices focused on the collection of applicant biometrics (e.g., fingerprints, face photograph, signature). At the time of writing, there are 128 of these offices located throughout the U.S. and its territories.[21]

Biometrics are the lynchpin securing the immigration system. An applicant's identity, for Federal Government purposes, is either *verified* or *established* at an ASC. An individual who files a certain petition or application to USCIS presents themselves at an ASC to verify their identity. They present identity documents, often from foreign countries, and USCIS compares the biographic data and face photograph, if applicable, on those documents to the data presented on the form filed and other data in government systems. The biographic data is typically accepted and forms the foundation of an alien's identity in Federal Government systems. If discrepant data is found, it may be cause for adjudicators to investigate further, post-ASC appointment.

From the genesis of the ASC program in approximately 1998, the identity documents applicants and petitioners submit have only been verified typically by a contract receptionist at the ASC. Any contractor or federal employee verifying identification of individuals appearing at an ASC is provided with a manual that lists nearly all the identity documents that might be encountered, along with their security features so the document's veracity can be determined. This is a tall order to ask of anyone, let alone a receptionist checking in potentially hundreds of individuals daily. The documents can be issued from almost 200 countries and span many years, over which time each document's security features have changed. With crowded waiting rooms, one might forgive an ASC receptionist for not knowing all the security features of a Saudi Arabian passport issued in 2016 *and* a Mexican Matrícula Consular Card issued in 2024.

Moreover, security features are typically best seen under certain lighting not readily available at ASCs, such as ultraviolet light. Such lights are only sporadically available at ASCs. Even if they were ubiquitously available, modern identity documents have other security features that are best seen in other types of light, such as infrared.

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[21] Information provided by USCIS, June 11, 2025. Much of the information contained in this section was derived from the same source.

There is no baseline with which to understand the scale of document fraud at ASCs. It may be a large problem, or none at all, but without objective verification of a document's authenticity, the fraud base rate is unknowable.

Recommendations

The CIS Ombudsman therefore recommends USCIS:

1. Procure document authentication devices and deploy them at all ASCs

Commercially available document verification devices such as those deployed at Transportation Security Administration (TSA) checkpoints[22] are reasonably affordable, rapidly scan identity documents for the full range of security features, read all biographic data, and return the user a result as to whether the document is fraudulent. If USCIS wishes, these devices can also save a scan of the document and the authentication result for use downstream (i.e., in adjudications).

This rapid-result capability enables real-time detection of counterfeit documents, helping ensure only individuals with legitimate credentials progress through the immigration process. Preventing the immigration system from becoming burdened with illegitimate requests is essential to safeguarding the integrity of immigration benefits. The document authentication system compares scanned documents against a regularly updated database containing over four thousand secure document types and their associated security features.[23] This comprehensive reference ensures that even newly issued or rarely seen documents are properly vetted. The system's simple and intuitive user interface reduces the training load, with new users able to obtain results in just a few minutes.

Additionally, the device creates a detailed audit trail that strengthens accountability and traceability throughout the identity verification process, reinforcing efforts to safeguard the immigration system from compromise.

Discussions with USCIS adjudicators reveal field staff have long wanted an objective authentication of identity documents so each adjudicator does not have to make a subjective assessment.[24] Authenticating documents early in the application pipeline, which is when the ASC appointment occurs, also allows USCIS more time in the application lifecycle to analyze suspect documents in a systematic way that is not possible now.

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[22] Credential Authentication Technology | Transportation Security Administration.

[23] CIS Ombudsman market research, conducted June 2025. Informational material from specific vendors not cited to prevent the appearance of endorsing particular products.

[24] CIS Ombudsman discussions with USCIS staff throughout June and July 2025.

This objective authentication process hardens identity data at the entry point, laying a strong foundation for a suite of USCIS identity management systems.[25] By automating the detection of fraudulent or altered documents, the risk of identity fraud is drastically reduced, and the impact of human fatigue or mistakes is mitigated.

2. Scan and store all identity documents for use across the enterprise

In addition to verifying a document's security features, document authentication devices can scan documents and ingest them into a USCIS system for future use.[26] With configuration by USCIS developers, identity documents can be saved in an applicant or petitioner's electronic file, along with other evidence and forms. This elegant solution extracts more value out of the hardware procurement, saves administrative work in field offices since staff do not have to scan identity documents later, and allows all relevant staff to view the documents across the enterprise, along with the results of the document authentication. A scan of an identity document performed early in the application process allows, for example, security experts physically distant from the adjudicating field office to review the document prior to an adjudicator interviewing the applicant in person.

3. Staff and train a team of document authentication experts

With the fielding of document authentication devices, USCIS will own a real-time, large-scale dataset conveying what types of document fraud is occurring at ASCs and likely elsewhere. The type of document flaws will be known, as well as what type of documents were counterfeited. USCIS should take advantage of such a large dataset by reviewing the outcomes of agency-wide document authentication regularly and releasing trend bulletins to all field staff. USCIS should share its findings with the ICE Homeland Security Investigations Forensic Laboratory's Questioned Documents Unit[27] and Enforcement Removal Operations, CBP, TSA, the Federal Bureau of Investigation, and others. An effective way to handle such a technical workload is to create a team of trained document authentication experts, perhaps within FDNS, and have them review all identity documents that fail authentication. They can also serve as in-house experts for field staff.

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[25] USCIS presentation, *Document Verification/Intake at ASCs*, February 2020.
[26] *Id.*
[27] Forensic Laboratory | ICE.

Digitizing USCIS' Records

Digitization: Present & Future

Digitization is the process of converting paper or other media formats to a digital form that has sufficient authenticity, reliability, usability, and integrity to serve in place of the source record.[28] USCIS currently oversees approximately 171 million paper files and 67 million electronic files[29]. To date, USCIS has digitized approximately 50 million files[30]. Notably, 90%[31] of all new paper submitted to USCIS is now received in digital format, reflecting significant progress toward modernizing records management and improving operational efficiency.

USCIS is digitizing immigration records for the Field Operations Directorate, Service Center Operations Directorate (SCOPS), the Refugee, Asylum and International Operations Directorate, the Immigrant Investor Program Office, the Administrative Appeals Office, the National Records Center Freedom of Information Act Operations Branch, and the DHS "tri-bureau" (i.e., USCIS, CBP, and ICE).

USCIS envisions a fully digital immigration landscape where content and data are securely accessed by the agency and its partners, resulting in enhanced operational efficiency and data integrity, which yields more accurate adjudications. The goal is to establish a comprehensive, National Archives and Records Administration (NARA)-compliant view of the Alien file (A-file) that is accessible through a unified viewer—eliminating duplicative efforts and the inefficiencies of "swivel-chairing" across multiple systems. This integrated approach will enable all members of the tri-bureau to view and manage records in real time, providing consistency in the handling of the Records of Proceedings[32], while ensuring alignment with records management schedules and regulatory requirements.

To support this vision, USCIS is expanding digital intake, which is expected to reduce paper handling costs. During the transition, large volumes of existing paper must be converted into digital formats for various uses, including digital adjudication of cases, more efficient responses to Freedom of Information Act requests, secure electronic file storage, and compliance with NARA's 2022-2026 Digital Initiative[33]. The strategy to achieve this digital

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[28] 36 CFR 1236.41. USCIS digitization policies can be found in the USCIS Records Policy Manual at Volume 2, Part B.
[29] USCIS presentation, *USCIS' Vision for Making Paper Digital*, April 11, 2025.
[30] *Id.*
[31] *Id.*
[32] A record of proceeding is the organized, official material constituting the record of any application, petition, hearing, or other proceeding before USCIS and is typically contained within an Alien Registration File (A-File) or other agency file or electronic case management system, or a hybrid paper and electronic file. USCIS Records Policy Manual, Chapter 2, Part A.
[33] NARA 2022 initiative requires Federal Agencies to transition to fully electronic recordkeeping by December 31, 2022.

transformation involves a two-pronged approach: enabling fully electronic intake of records for the DHS tri-bureau and ongoing digitization of paper-based files.

Barriers to increased digitization

USCIS digitizes paper records through the process of *scanning*. While necessary, scanning is not itself an efficient and cost-effective process. USCIS faces several barriers to digitization related to scanning, largely stemming from scanning's decentralization across directorates:

- The existence of multiple scanning contracts prevents economies of scale and increases procurement costs;

- Files are produced in inconsistent formats (e.g., large, unstructured Portable Document Format files (PDF) compared to separated and tagged documents);

- Output quality and quality controls vary significantly across directorates;

- Lack of standard guidance prevents alignment with industry or agency-wide standards;

- Inability to leverage OCR, which turns text from scanned PDFs into text intelligible to software, and other tools, limits USCIS' capacity for text search, fraud detection, and datamining;

- Scanning efforts are not aligned with mission-critical priorities; and

- Large, scanned files, such as USCIS provides in response to time-sensitive law enforcement requests cannot be shared with customers through online platforms (e.g., Microsoft SharePoint, OneDrive, Outlook, etc.) due to file size limitations, leading to delays for high-priority actions.

Inconsistent scanning practices undermine the accuracy and reliability of official records, which permits fraud to go undetected and risks national security.

Electronic Filing (e-filing)

Distinct from the process of digitizing paper forms is the process of electronic intake, where USCIS can accept applications and other data from applicants and petitioners without the data ever hitting the printed page. USCIS continues to expand its electronic filing capabilities, currently accepting 19 forms electronically.[34] According to USCIS, approximately 60% of eligible benefit requests are now filed electronically.[35]

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[34] Forms Available to File Online | USCIS.

[35] USCIS presentation, *USCIS' Vision for Making Paper Digital*, April 11, 2025.

To fully eliminate paper-based submissions, a regulation requiring electronic filing is necessary. In the absence of an e-filing requirement, USCIS should pursue expanded PDF upload options to facilitate electronic submission through existing case management systems. This approach will likely encourage greater participation from legal representatives, who predominantly file on paper.[36] However, the most efficient approach to eliminating USCIS' reliance on paper is to continue to work toward all forms being eligible for truly electronic submission.

Recommendations

The CIS Ombudsman recommends that USCIS:

1. Consolidate scanning contracts

USCIS should consolidate all scanning contracts into one to:

- Leverage significant economies of scale, such as reducing the per-page scanning cost and unit cost of purchasing expensive scanning hardware;

- Simplify contract oversight and management for USCIS as a whole;

- Standardize scanning policy and procedures;

- Align scanning policy with Department and agency priorities;

- Standardize output quality, thereby simplifying USCIS' ability to meet industry and government scanning standards; and

- Standardize quality control measures to improve quality and more accurately report USCIS' compliance with industry and government scanning standards.

2. Produce digitized files in a consistent, useful format and structure

Not all digitized files are of equal value. Some USCIS scanning operations scan immigration forms, supporting evidence, and other documents, as large, unstructured PDFs. Imagine an A-file hundreds of pages long, with many different document types, and unsearchable text. USCIS staff must slowly wade through such large files seeking a needle in a haystack. Immigration Service Officers (ISO) have told CIS Ombudsman staff that paper A-files are far preferable to such a digital mishmash.[37]

Other USCIS scanning operations output files that appropriately separate documents, tag those documents by type (e.g., application, birth certificate, identity document), and

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[36] CIS Ombudsman discussions with USCIS staff throughout June and July 2025.
[37] *Id.*

incorporate other useful metadata to aid searchability. If an ISO is looking for an applicant's Mexican Matrícula Consular Card[38], simply inputting "Matrícula" into an on-screen search field alongside the scanned document will bring the ISO to the right document instantaneously, regardless of the A-file's size. This rather basic digital feature is not new or groundbreaking but can save USCIS staff tens of minutes to over an hour when adjudicating a single application. All USCIS scanning operations should deploy this feature.

3. Leverage OCR

USCIS should maximally employ OCR. OCR technology has existed for decades, but with the advent of Artificial Intelligence, it has finally become powerful. Strides made in just the past year enable OCR software to make sense of both printed text and sloppy handwriting, for example.

When a scanner scans a document, the document is imported into the computer as a "flat" image – upon ingestion, the computer cannot differentiate anything on the page other than shades and colors. OCR is a software tool that analyzes the page and turns its text into characters that are as intelligible to the software as if a user typed the text in Microsoft Word.

Scanned documents that have not undergone OCR are of greatly diminished value to USCIS and its immigration partners. These files are only useful when a human manually opens them and views each page one by one. However, files that have undergone OCR analysis are incredibly useful, even without being touched by a human. All their text can be quickly searched, both by USCIS adjudicators and automated queries. With text that has undergone OCR, FDNS can utilize automated queries that instantly flag records with data related to fraud or security trends. More USCIS documents subjected to OCR means more complete and effective FDNS queries.

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[38] Matrícula Consular - Wikipedia.

Addressing the Agency's Typographical Errors in Personally Identifiable Information (PII)

Introduction

The CIS Ombudsman has identified significant issues with typographical errors made in USCIS-issued receipts, approvals, and other notices, as well as identity documents such as Employment Authorization Documents (EADs), Permanent Resident Cards (PRCs), and travel documents during Fiscal Years (FY) 2023 and 2024. There has been a notable increase in case assistance requests related to these issues, which occur both during intake and processing in USCIS electronic systems, including on electronically filed forms.

The CIS Ombudsman is concerned that this pattern of systemic error, if left unaddressed, could persist in USCIS' increasingly electronic environment. These errors are difficult to correct, and they present a substantial risk of misuse or fraud in addition to creating ongoing problems for individuals and employers.

This recommendation to USCIS focuses on typographical errors in PII[39] on documents used as proof of identity, immigration status, employment authorization or for travel that can be attributed to agency error, which the CIS Ombudsman has observed through requests for case assistance.

While this recommendation addresses errors on critical documents, the CIS Ombudsman encourages USCIS to also evaluate other areas where typographical and PII errors have been reported. For example, individuals and employers have reported errors in receipt dates, priority dates, immigration benefit categories, and validity dates, which they viewed as typographical errors.[40] Though often treated as minor typographical issues, these may reflect deeper systemic flaws.

Additionally, individuals reported receiving secure identity documents with a different person's photo. Although not a typographical error in nature, such errors raise similar quality

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[39] The personal information contained on receipts, notices, and documents USCIS issues include PII, such as full legal name, date of birth, country of birth, gender, and A-number, that is protected from unauthorized disclosure pursuant to The Privacy Act of 1974 and DHS' Fair Information Practice Principles. See 1 USCIS Policy Manual, Pt. A, Ch. 7(A)-(C).

[40] Alleged errors involving receipt dates, priority dates, benefit categories, and validity dates may be the result of typographical errors, insufficient adjudicator training, differences of opinion within agency staff about the agency's application of law or policy, or misunderstandings about the agency's legitimate procedural approach (e.g., the results of priority date recapture request review are reflected in an approval, but not a receipt notice). In addition to considering the concerns and recommendations presented here and applying them to other areas where typographical errors occur, the CIS Ombudsman encourages the agency to revisit adjudicator training and public information in areas where the agency receives correction requests asserting agency error.

assurance and PII concerns. Secure identity documents issued with a mismatched photo can lead to serious risks, including:

- National security vulnerabilities;

- Fraud and impersonation;

- Compromise of the immigration system's integrity;

- Breakdown of vetting processes;

- Interference with law enforcement efforts; and

- Facilitation of human trafficking.

Typographical Errors Appear to Have Increased

In May 2023, the CIS Ombudsman began seeing an increase in requests for assistance from applicants and petitioners regarding typographical errors made by the agency on the receipts, notices, and identity documents they receive from USCIS. These reports continued, as did the CIS Ombudsman's observations and related concerns.[41] The following issues have emerged as a result of our review:

Agency Errors

- Since FY 2022, reports of receipts, notices, and documents, including secure identity documents, issued containing incorrect PII, employer names, receipt dates, priority dates, benefit categories,[42] and validity dates due to agency error have increased substantially. Case assistance requests to the CIS Ombudsman asserting USCIS typographical errors increased by 59% since FY 2023.[43] Such requests increased by 1,443% from FY 2022.

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[41] During the period studied (FY 2024), the CIS Ombudsman received an average of 50 case assistance requests per month that reported typographical errors that were not filer-error and sought help with obtaining corrected documents. Receipts for these reported errors were above 40 in all months except December 2023 and April 2024, and experienced peaks in February 2024 (70 receipts) and August 2024 (63 receipts).

[42] Typographical errors labeled as benefit category include the wrong Class of Admission on a PRC, the wrong Classification (e.g., C09) printed on an EAD, the wrong "section" printed on a Form I-140, *Immigrant Petition for Alien Worker*, receipt or approval (e.g., "Alien of Extraordinary Ability, Sec.203(b)(1)(A)"), the wrong Class on a Form I-129, *Petition for a Nonimmigrant Worker*, or Form I-539, *Application to Extend/Change Nonimmigrant Status*, receipt or approval notice (e.g., H-1B or H-4), and the wrong travel document issued (e.g., Form I-512L, *Advance Parole Document*, or Form I-512T, *Authorization for Travel by a Noncitizen to the United States*), for example.

[43] These figures reflect individuals and employers seeking the CIS Ombudsman's help to correct errors they assert are typographical errors, the CIS Ombudsman identified as typographical, or both. Although these figures do not exclude agency-made errors that are not typographical in nature and include some filer-made errors or misunderstandings, they show an undeniable growth of reports of typographical errors that are not corrected before adjudication and the importance of an effective and efficient correction process.

- Agency-made typographical errors undermine public confidence in the integrity of the immigration system overall and create serious vulnerabilities. Incorrect USCIS-issued documents may be mistakenly accepted by employers, schools, healthcare providers, and government agencies, potentially enabling ineligible individuals to access benefits or services. More critically, these errors can lead to national security vulnerabilities, enable fraud and impersonation, and compromise the overall integrity of the immigration system. Flawed documents can bypass critical vetting procedures, obstruct law enforcement efforts, and facilitate human trafficking by allowing individuals to operate under false identities.

Correction Process

- There are different correction processes for agency-made typographical errors on notices, EADs, and PRCs. The processes are lengthy, further delaying aliens' ability to fully use the immigration benefits issued to them and increasing the attraction to use the incorrect documentation (or at the very least a reluctance to surrender it). It appears to take three months or more to receive a corrected approval notice after submitting a service request, five months or more to receive a corrected EAD after submitting a service request and returning the inaccurate EAD, and one year or more to receive a corrected PRC after submitting a Form I-90, *Application to Replace Permanent Resident Card*, with Item 2.d. or 3.d. marked (indicating the request for replacement is due to agency error).

- USCIS does not appear to prioritize correction of PRCs containing agency-made errors, and it requires applicants to wait to inquire until their Form I-90 receipt date is "outside normal processing times" for all "initial issuance or replacement" Forms I-90. In December 2024, this approach required a wait of over 2.5 years before the individual was permitted to inquire about the status of their request to correct USCIS error(s) on their PRC.[44] In February 2025, the wait had increased to over three years.[45]

- USCIS does not set realistic expectations for, or provide sufficient information about, requests to correct agency-made errors on EADs, resulting in applicants fearing their correction request has been lost. USCIS' public messaging states, "It will take approximately 30 days from the date we receive the card for us to process your request

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[44] According to USCIS processing time and case status inquiry information online on December 16, 2024, the agency reported the processing time for "initial issuance or replacement" Forms I-90 as 20.5 months and the earliest filing date eligible for inquiry submission as of April 2, 2022, or two years, eight months, and 14 days after submission. Check Case Processing Times | USCIS.

[45] On February 25, 2025, USCIS processing time and case status inquiry information online reported the processing time for "initial issuance or replacement" Forms I-90 as 26.5 months and the earliest filing date eligible for inquiry submission as of January 28, 2022, or 3 years and 28 days after submission. Check Case Processing Times | USCIS.

and issue you a new card, if we determine it was due to USCIS error."[46] However, the wait is longer than 30 days, without confirmation of receipt or processing updates.

- Service requests provide little reassurance. The agency provides little to no response to correction requests, including after the applicant or petitioner returns the original inaccurate document to USCIS, or submits subsequent inquiries about the inaccurate document and correction requested. In some cases, the agency responds but with information that adds to confusion and frustration. For example, some responses instruct applicants to take action, such as returning an inaccurate EAD, although they have already done so.

- USCIS sometimes reissues documents with the same error(s) or new error(s), which requires the applicant or petitioner to restart the correction request process and wait, again, to receive an accurate document they can use to work, travel, or otherwise use their approved immigration benefit.

Analysis of Typographical Agency Errors

Considering the 12-month period from October 1, 2023 to September 30, 2024 (i.e., FY 2024), the CIS Ombudsman reviewed over 1,500 case assistance requests it received asserting incorrect information on a receipt, notice, EAD, PRC, or travel document, and identified 634 of those requests associated with cases involving asserted errors that were clear instances of agency-made typographical errors (e.g., not adjudicative errors, misunderstandings, or a filer's own typographical errors).[47] Within these 634 case assistance requests, 36 involved photograph errors (i.e., the wrong person's photograph used on an identity document), which are identity information errors, but not typographical errors. After excluding photograph error requests, 598 case assistance requests remained. Some documents at issue in these 598 case assistance requests contained multiple errors (e.g., typographical errors in both name and date of birth or validity dates on one document), increasing the total number of typographical errors studied by eight, resulting in 606 total errors across the 598 cases.[48] As a result, our

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[46] Immigration Documents and How to Correct, Update, or Replace Them | USCIS.

[47] From the case assistance requests submitted alleging agency error during this period, requests alleging agency error that was clearly preparer-made or adjudicatory in nature, such as a Form I-485 approval before the applicant was eligible to adjust status, were excluded to better focus our analysis. Although this study focuses on typographical errors the agency makes, the CIS Ombudsman encourages the agency to consider how these recommendations could also be used to avoid issuing identity documents that perpetuate preparer-made errors in PII.

[48] After accounting for instances in which a document contained more than one typographical error (eight additional errors), the 598 cases involved 606 total typographical errors (598 + 8 = 606). One document studied involved a typographical error and a photograph error; only the typographical error is counted toward the 606 total used in this study.

study considers 598 benefit requests containing 606 reported agency-made typographical errors.[49]

Errors in alien name were the most frequently reported agency-made typographical error, accounting for 35% of the 598 benefit requests and 34% of the 606 total typographical errors reported. The next most-reported errors involved incorrect validity dates (151 errors, or 25%) followed by mistakes in benefit category or admission classification (94 errors, or 16%).

After reviewing these cases, the CIS Ombudsman highlights several key observations that reinforce concerns about persistent agency-made errors in alien names and other PII and identify areas within USCIS where those errors occur. These findings also help identify specific areas within USCIS where such errors are most likely to occur:

- The incidence of agency-made typographical errors involving PII has been significant. Of the 606 reported errors, 44% involved PII.

- A significant portion of the agency's typographical PII errors occurred on identity documents. Of the 598 case assistance requests reviewed, 46% of agency-made typographical errors were found on identity documents such as EADs, PRCs, and travel documents. [50]

- Employer-filed petitions frequently contained agency-made typographical errors in PII. Among the requests studied, 26% of typographical errors appeared in USCIS-issued notices tied to Form I-129, *Petition for a Nonimmigrant Worker*, and Form I-140, *Immigrant Petition for Alien Workers*, receipt and approval notices. Specifically, 39% of errors in these notices related to PII on Forms I-129 and I-140.

- Name errors were the most common among the agency's typographical PII errors. 79% of typographical PII errors involved names. Date of birth and A-number errors followed, representing 10% and 8% of such errors, respectively.

- Among name-related errors, "spelling errors" were the most prevalent. These included duplicating letters, omitting letters, and incorrectly substituting visually similar letters ("look-alike" characters). Many of these appeared to stem from digitization mistakes that went uncorrected. [51] Other common name issues included mismatched or mis-

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[49] In calculations, 598 is used when discussing typographical errors in terms of the benefit requested or approved (e.g., an I-129 approval or EAD) and 606 when assessing typographical errors by type (e.g., name or validity dates).

[50] Although typographical errors may occur with similar frequency on other documents USCIS produces, the CIS Ombudsman's case assistance requests tend to represent errors in documents aliens need most or need to have corrected expeditiously, like EADs.

[51] Examples of interchanging or combining "look alike" letters, include typewritten "i" or "I" digitized as "l" or vice versa, confusing "q" and "g," or "Q" and "G" or "O"), typewritten "nn" digitized as "m" or vice versa, and typewritten "ij" digitized as

ordered first, middle, and last names (12%), and completely incorrect names (11%).[52] Less frequent errors involved missing names, repeated names, and spacing issues between names.

- SCOPS processed 78% of the forms containing alien name errors.[53] Notably, 40% of name errors in SCOPS-processed forms were associated with the Texas Service Center (TSC). The Potomac Service Center accounted for 18%, while the Nebraska Service Center and the Vermont Service Center each handled 16%.[54]

- Agency-made alien name errors occurred across multiple intake paths. Half of the reported errors were found in benefit requests submitted directly to service centers, while 39% were in benefit requests routed through Lockbox intake. An additional 7% occurred on forms submitted electronically.[55]

- Name errors occurred during both intake and processing. Some errors first appeared on receipt or acceptance notices the service centers or Lockbox issued, indicating the agency's error occurred during intake. Other errors were introduced during processing, affecting both mailed and electronically filed forms. In some case, initial notices had correct information, but errors appeared later in documents.

Current Approach to Quality Assurance of Ingested Data

USCIS service centers ingest paper submissions using Manual Entry of Application (MEA) processes, through which data entry staff create an electronic version for adjudication. MEA-ingested forms may include preparer-made typographical errors but should not introduce data entry errors. It is the CIS Ombudsman's understanding that service centers adhere to data entry accuracy checks during intake, before releasing electronic files for SCOPS review

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"y." Most name spelling errors appeared in forms ingested through the Lockbox digitization process. However, the CIS Ombudsman also observed examples in forms service centers ingested and forms filed electronically.

[52] On July 12, 2024, USCIS updated its Policy Manual to provide additional guidance about foreign documents and name construction, which may help to reduce name order errors. 1 USCIS Policy Manual, Pt, E, Ch. 5(A)(2).

[53] The figures in this bullet include all forms processed through service centers, regardless of intake point, as the adjudicatory office is ultimately responsible for the accuracy of form review and adjudication and, to the CIS Ombudsman's understanding, is required to approve any post-approval corrections to forms service centers processed.

[54] Here, the CIS Ombudsman identified the sole or primary service center involved in a form's processing and assigned the name error to that service center. However, the CIS Ombudsman recognizes that the agency's intake centralization and workload balancing activities may result in form transfers among service centers, with more than one service center potentially involved in a form's review and adjudication. For example, in 2023 and 2024, the agency changed the filing location for 18 application and petition types to TSC, as part of its efforts to centralize SCOPS intake of forms. This would have resulted in a higher volume of form ingestion at TSC, with review and adjudication potentially handled through other service centers. As a result, the CIS Ombudsman cannot form any conclusions that any one center or directorate is solely responsible for name errors. See Lockbox and Service Center Filing Location Updates | USCIS.

[55] These were agency-made errors introduced during processing, as individuals enter their own data when submitting a form electronically and the CIS Ombudsman excluded filer-made typographical errors from this study.

and adjudication. As the agency expands online filing options and Lockbox ingestion, MEA-ingested forms have been reduced and are expected to continue to decrease.[56]

Lockbox facilities use technology to convert paper submissions into digitized files. The Extracting, Modifying, Monitoring, and Architecture system translates scanned forms into electronic data. Because the Lockbox is charged with creating a digitized version of what the applicant or petitioner entered on the form, digitized forms may include preparer-made typographical errors but should not introduce digitization-related errors. USCIS has acknowledged that digitization software has difficulty translating information accurately when a form is handwritten, especially when the preparer used an ink color other than black or dark blue, and encourages applicants and petitioners to submit typewritten forms.[57] However, nearly all the agency-made errors observed in our study involved typewritten forms.

To combat potential typographical errors due to digitization, Lockbox staff manually compare information on digitized and submitted forms, checking key fields (including names) and fields the software flags to indicate low confidence in digitization accuracy.[58] In addition, digitized forms may be selected for a quality control (QC) check before upload into the agency's Electronic Immigration System (ELIS). Given the Lockbox's role—to ingest and digitize submissions, without assessment beyond acceptance criteria—and lack of information suggesting otherwise, it is the CIS Ombudsman's understanding that the Lockbox's digitized data accuracy checks are limited to the four corners of the submitted form.

Historically, during their review and adjudication of a form, ISOs compared PII entered on the form to PII on identity evidence submitted with the form (e.g., passport biographic data page submitted with a Form I-765, *Application for Employment Authorization*) and otherwise already present in USCIS' systems. USCIS' Policy Manual provides that, "[a]s part of the adjudication of immigration benefits requests, USCIS reviews evidence, including biographical and biometrics information, submitted by the benefit requestor, as well as DHS systems, to verify identifying information."[59] However, the CIS Ombudsman's study indicates that typographical errors in PII, whether occurring during ingestion or during processing, are not being caught and corrected before the agency produces notices and documents. With the introduction of streamlined processing cases, it is not clear when PII verification occurs and whether

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[56] With the transition of Form I-129 H-1B petition intake to Lockbox facilities, SCOPS intake volume significantly decreased. SCOPS continues to ingest lower volume Form I-129 petitions (i.e., those for nonimmigrants other than H-1Bs, TNs, and fiancés) and other forms, primarily related to T, U, Violence Against Women Act, Cuban Adjustment Act abused spouses and children, and refugee and asylee relatives.

[57] Information provided by USCIS, December 2023.

[58] Information provided by USCIS, December 5, 2023.

[59] 1 USCIS Policy Manual, Pt. E, Ch. 5.

technology or a live actor performs that check. Moreover, USCIS electronic systems appear to retain typographical PII errors as "aliases," where they have the potential to resurface.

Current Internal Error Correction Process

Lockbox staff can correct digitization errors when reviewing flagged fields and during QC before uploading the electronic file into ELIS. After the electronic file enters ELIS, the Lockbox can no longer correct errors on the form, although it can amend receipt notices it issued within the prior six-month period to correct typographical errors.[60]

During processing at service centers, different types of agency errors follow different pathways for correction. The representative fielding an error report may be able to verify the correct information and either make the correction in USCIS' electronic system or email the ISO assigned the electronic file about the error. If the form is not currently assigned to an ISO, the representative interfiles notes about the reported error for review and handling when the form is assigned. With streamlined processing, USCIS' current technology would have to be able to identify forms with interfiled error-reporting notes and ensure they are routed for ISO review.

It is not clear whether and under what circumstances an ISO who identifies an agency-made error in PII may correct the information in USCIS' electronic systems themselves. It is the CIS Ombudsman's understanding that, in at least some cases, the ISO must submit a "ticket" asking information technology staff to correct the data. After correction, USCIS' electronic system appears to retain all "aliases" associated with the A-number, including those with typographical errors or for a different person (when USCIS' system uses the same A-number for more than one person).

If the service center adjudicates the case before the correction has been made in the electronic system, the notice or document will be produced with the PII error. For EADs, when the service center approves a case, the approval—and the PII data attached to the approval—electronically routes to Office of Intake and Document Production (OIDP) facilities for production. OIDP produces and mails secure documents using the PII the service center approved. OIDP cannot make changes to the PII the service center approved. [61]

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[60] Information provided by USCIS, May 2024.
[61] Information provided by USCIS, April 2024.

Current Error Correction Process for Applicants and Petitioners

If an applicant or petitioner receives a notice or document containing an agency-made error and wants the error corrected, they must follow the agency's instructions to request a corrected notice or document.[62] The agency instructs applicants and petitioners to note "typographical error" in their service requests reporting agency errors on notices and documents. For agency errors on EADs, online guidance instructs applicants to note "EAD Replacement due to USCIS Error" in their service requests and write "Attn: I-765 Replacement Cards" on mail returning the inaccurate EAD card to the OIDP Lee's Summit Production Facility. For agency errors on PRCs, the applicant must submit a new Form I-90 and mark the appropriate checkbox indicating "incorrect data because of DHS error" (i.e., Item 2.d. or 3.d.) as the reason for requesting a replacement card. Then, the applicant must wait for USCIS to review the request and, if it agrees that the error was its own, produce and mail a corrected notice or document. USCIS permits individuals to request that it expedite the adjudication of an application, petition, request, appeal, or motion under its jurisdiction, including those seeking correction of a clear USCIS error when the individual demonstrates an urgent need for the correction.[63] Unless an individual requests an expedite and USCIS exercises its discretion to do so, these processes to resolve agency-made errors can take months or years, depending on the notice or document to be corrected.

The EAD correction process is largely manual and involves both OIDP and SCOPS. OIDP staff must sort through incoming correspondence to identify those labeled "Attn: I-765 Replacement Cards," destroy the returned EADs, and enter its actions in the electronic system.[64] On a regular basis (e.g., weekly), SCOPS searches the electronic system for OIDP notes confirming EAD destruction actions that correlate to service requests requesting correction of agency-made errors. If the adjudicating office determines the returned and destroyed card, in fact, involved an agency-made error, it handles the correction and orders the corrected EAD.[65] Then, OIDP can produce and mail the card reflecting the adjudicating office's approved changes.

The PRC correction process requires individuals to file Form I-90 with Item 2.d. or 3.d. marked, identifying it as a request for correction of an agency-made error. USCIS staff responding to CIS Ombudsman case assistance inquiries have indicated that Forms I-90 with Item 2.d. or 3.d.

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[62] Updating or Correcting Your Documents | USCIS; Typographic Error | USCIS.

[63] 1 USCIS Policy Manual, Pt. A, Ch. 5.

[64] The CIS Ombudsman observed cases in which EADs were delivered to OIDP but there was a delay (e.g., three months) before the EAD receipt and destruction actions were recorded in the electronic system.

[65] If the adjudicating office determines there was no agency error, the applicant will be notified to "follow the procedure for when a correction is needed and not due to USCIS error," essentially meaning the applicant must reapply. Immigration Documents and How to Correct, Update or Replace Them | USCIS.

marked are processed separately from other Form I-90s and more expeditiously. However, USCIS appears to process these agency-made error requests with the same priority as other "initial or replacement" PRC requests. It does not consider Forms I-90 requesting correction of agency error to be outside normal processing times until they have been pending longer than the time the agency has taken to complete 93% of all adjudicated "initial issuance or replacement" PRC requests. While waiting for a corrected PRC, individuals may visit a USCIS field office to obtain an Alien Documentation, Identification, and Telecommunication (ADIT) stamp as temporary evidence of their permanent resident status. However, a government agency relying on a mere stamp as evidence of government-conferred status opens the door to fraud. USCIS should develop solutions that obviate the need for ADIT stamps.

In some cases, the correction process is unsuccessful. Applicants and petitioners receive reissued documents and notices with the same error, or new errors. For example, the CIS Ombudsman received case assistance requests from individuals who submitted Form I-90 to correct agency-made errors in their name, date of birth, class of admission category, and admission date and received new PRCs with the same error. One of these applicants reported waiting 2.5 years for her name to be corrected, only to receive a new PRC with the same inaccurate name. Another applicant's Form I-90 resulted in a new PRC correcting an agency-made name error but creating new errors in the class of admission category and expiration date.

In other cases, the correction request was successful, but USCIS did not notify the applicant or petitioner of the correction. An individual submitted a follow-up correction request to which USCIS responded that there was no error. The individual then contacted the CIS Ombudsman, unsure of the accuracy of the name in USCIS' system.

Recommendations

The CIS Ombudsman recommends:

1. Take preventative steps to reduce agency-made errors by enhancing data quality checks at the Lockbox

Existing measures for ensuring the accuracy of information on forms ingested at Lockbox facilities should be enhanced by:

- Working with appropriate information technology staff, contractors, and software vendors to improve the digitization software's ability to accurately interpret scanned text;

- Encouraging applicants and petitioners to use certain fonts, certain size font, all capital letters, or other type formats, if the digitization software can more accurately translate information typewritten in those formats;

- Increasing QC checks of digitized forms;

- Leveraging information on passport biographic data pages, when submitted with a form, to flag potentially inaccurate PII for QC.[66] In the event QC identifies PII discrepancies between the digitized form and the passport biographic data page that are not ingestion errors, the agency should provide a mechanism for the Lockbox to flag the form—and specifically the PII issue—for ISO review at the adjudicating office; and

- Adding a PII applicant- or petitioner-verification step to Lockbox ingestion, at least for individuals with USCIS online accounts if not operationally feasible outside this scenario, to provide them with a brief opportunity via secure message, or other PII-sensitive context, to preview PII and either confirm accuracy or flag inaccurate PII.

2. Take preventative steps to reduce agency-made errors by enhancing data quality checks during processing

Existing measures for ensuring the accuracy of information on forms before the adjudicating office orders printing of a notice or production of a document can be enhanced by:

- Using technology to flag forms for ISO review of a potential agency-made typographical error, if an applicant or petitioner submits a service request about such an error;

- Ensuring an efficient internal process is available to enable ISOs to correct agency-made errors and make appropriate PII updates before ordering notices to be printed or documents to be produced;

- Enabling ISOs to label aliases containing typographical errors as "inaccurate" to prevent both technology and humans from reusing PII known to be inaccurate; and

- Leveraging technology at key points in application or petition processing to flag potentially inaccurate PII for ISO review. For example:

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[66] The CIS Ombudsman is not suggesting the Lockbox overreach its role, for example, by correcting applicant or petitioner errors in PII. Rather, the Lockbox could use technology to scan and compare passport biographic data page information to digitized PII form fields, and flag PII discrepancies for additional QC or ISO review.

- Before issuing a receipt notice, use technology to compare PII on electronic forms with the alien's biographic data passport page, when submitted with the form, and/or information already in USCIS' systems for that A-number. If inconsistent, flag the PII for ISO review;

- Before approval, adding a PII verification step for applicants and petitioners, at least for individuals with USCIS online accounts if not operationally feasible outside this scenario. This would provide applicants and petitioners with a time-limited opportunity via secure message, or other PII-sensitive context, to preview PII and either confirm accuracy or flag inaccurate PII before USCIS produces a notice or document. With PII errors potentially introduced during processing, the value of pre-production PII verification would remain relevant—especially for identity documents and notices conferring status or employment authorization— even as the agency's processing becomes more fully electronic; and

- For individuals attending biometrics collection appointments, providing a mechanism to report agency-made typographical errors on their appointment notice to USCIS.

3. Prioritize and improve correction of agency-made errors

Existing measures for identifying and correcting agency-made typographical errors should be enhanced by:

- Using technology to identify Forms I-90 with Item 2.d. or 3.d marked at intake and prioritizing those Forms I-90 for review and resolution;

- Implementing a distinct Post Office Box where individuals should mail inaccurate EADs due to agency-made error, to pre-sort these EADs for priority destruction and notification to the adjudicating office for better coordinated reissuance;

- Prioritize correction of agency-made errors on notices and reissuance of corrected notices to individuals and employers;

- Creating a more direct, coordinated method for OIDP and SCOPS to identify, communicate about, and expeditiously resolve requests to correct EADs with agency-made errors; and

- Encouraging the points of contact involved in receiving and resolving requests to correct agency-made errors to investigate trends in reported errors and identify potential preventative measures.

4. Better communicate with individuals and employers seeking correction of agency-made errors

To reduce additional inquiries and filings, the agency should improve its communication with applicants and petitioners by:

- Confirming receipt of correction requests and doing so promptly;

- Confirming receipt of EADs returned to OIDP for correction;

- Communicating realistic timeframes for correction and reissuance of notices and documents; and

- Ensuring Contact Center and other USCIS personnel fielding applicant questions about Forms I-90 requesting correction of agency-made errors prioritize such inquiries and do not tell applicants to wait until their Form I-90 is outside normal processing times for all "initial or replacement" Forms I-90.

USCIS' Role in Resolving Notice to Appear Service Errors and Resulting Coordination Challenges

Introduction

Under the Immigration and Nationality Act (INA), three agencies within DHS may initiate a removal proceeding by preparing and serving Form I-862, *Notice to Appear (NTA)*, on a respondent and the immigration court. After serving the individual with the NTA, DHS must then file the document with an immigration court. However, in recent years, an increasing number of NTAs have been served on individuals but never filed with the immigration court, creating a risk that these cases can be dismissed in court.

While these unfiled NTAs usually do not originate from USCIS, the agency plays a critical role when it receives a Form I-589, *Application for Asylum and for Withholding Removal*, from an applicant whose NTA has not been filed. This creates significant enforcement vulnerabilities, as it is unclear which agency has jurisdiction over the asylum claim. The resulting ambiguity undermines the government's ability to effectively enforce immigration laws. Moreover, USCIS must divert considerable resources to address NTA-related issues, which not only slows down the adjudication of asylum cases but also hampers broader immigration enforcement efforts and weakens system integrity.

Overview of NTA Process

The NTA is the charging document that initiates removal proceedings against an individual who has violated immigration laws. A component of DHS—CBP, ICE, or USCIS—is responsible for creating and serving the NTA, either in person or by mail. The NTA must include specific information, such as the charges of removability and the time and place of the scheduled hearing.[67]

Prior to the Supreme Court's decision in *Pereira v. Sessions*, 138 S. Ct. 2105 (2018), DHS often issued NTAs without a specific hearing date or time, instead marking the fields as "TBD" (to be determined). However, the Court in *Pereira* held that an NTA must include a specific time and place for the initial hearing (i.e., master calendar hearing) to trigger the stop-time rule for cancellation of removal.[68] In response, DHS adjusted its procedures and began using the

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[67] INA § 239(a); 8 U.S.C. § 1229(a).

[68] The stop-time rule, outlined in INA § 240A(d)(1), halts the accumulation of continuous physical presence or continuous residence for those seeking cancellation of removal, a form of immigration relief that generally requires that the individual has been in the United States for at least the last ten years, as of the date a properly issued NTA is served. If an NTA lacks the required time and place of the hearing, it does not trigger the stop-time rule, allowing the respondent to continue accruing time toward eligibility for cancellation of removal. See *Pereira v. Sessions*, 138 S. Ct. 2105 (2018).

Department of Justice Executive Office for Immigration Review's (EOIR) Interactive Scheduling System (ISS) to schedule hearings before issuing the NTA. This system allows DHS to secure a hearing date and reflect it on the NTA before serving it to the individual. In cases where DHS does not issue an NTA without a scheduled hearing date, the immigration court will issue a subsequent notice of hearing containing this information.[69]

Once the NTA is served, DHS must file it with an immigration court to formally initiate removal proceedings. Since February 2022, EOIR requires DHS to submit Notices to Appear electronically through its EOIR Courts and Appeals System.[70] Jurisdiction over the case does not vest with the court until the NTA is properly filed,[71] meaning the court cannot proceed with the case or accept filings.

Unfiled NTAs and Failure to Prosecute

NTAs not filed with EOIR continue to be a persistent issue in removal proceedings. These occur when DHS serves an individual with an NTA but fails to file it with the immigration court. In some cases, DHS serves an NTA without scheduling an initial hearing and never files it with the court, leaving EOIR unable to schedule the hearing date until DHS takes further action. In other cases, DHS schedules a hearing, serves the NTA on the individual, but fails to file it with the court by the scheduled hearing date. In both cases, the U.S. Government Accountability Office (GAO) and the DHS Office of the Inspector General (OIG) found that the inability to properly serve and timely file the NTA are primarily the result of workload increases and resource constraints.[72]

A significant consequence of unfiled NTAs is the failure to prosecute (FTP), which undermines the integrity and efficiency of removal proceedings. Under current EOIR policy, if DHS schedules a hearing, but fails to timely file the NTA, the immigration court designates the case as an FTP[73] and the individual is not required to appear for removal hearings until a new NTA is served. EOIR has acknowledged that FTPs have increased significantly since DHS first

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[69] EOIR Immigration Court Practice Manual, Ch. 4(15)(c).

[70] 8 C.F.R. § 1003.31(a). *See* U.S. Government Accountability Office (GAO) Report, "Immigration Courts: Actions Needed to Track and Report Noncitizens' Hearing Appearances," GAO-25-106867 (Dec. 2024), p. 7, fn. 23.

[71] 8 C.F.R. § 1003.14(a).

[72] See GAO Report, "Challenges and Efforts Implementing New Processes for Noncitizen Families," GAO-22-105456 (Sep. 2022), p. 15; ("…for an individual to be issued a Notice to Appear and placed into full removal proceedings, Border Patrol headquarters and sector officials told us that an agent typically needs approximately two to two and a half hours to complete the necessary paperwork."). *See also* DHS Office of the Inspector General, "CBP Generally Provided Accurate Notices to Appear to Migrant Protection Protocols Enrollees, but Could Improve Procedures to Reduce Future Errors," OIG-21-45 (July 2021), p. 4; ("According to OFO and Border Patrol officials, officers and agents issued legally insufficient and inaccurate NTAs because of significant workload increases").

[73] See EOIR Policy Memorandum, "Updated Guidance for Receipt of Notices to Appear Filed by the Department of Homeland Security," (August 22, 2024).

obtained access to the ISS.[74] This procedural failure results in the case being dismissed without a hearing, leaving the individual in legal limbo, and preventing DHS from initiating appropriate enforcement action. Although DHS may later reissue[75] and file a new NTA, doing so requires additional coordination, resources, and time, significantly delaying the resolution of the case.

The impact of these lapses is substantial. Between January 2021 and February 2024, EOIR dismissed approximately 200,000 removal cases due to DHS's failure to file NTAs by the scheduled hearing date. This volume reflects a systemic issue that not only contributes to growing case backlogs but also erodes public confidence in the immigration's system ability to enforce its own proceedings. Furthermore, the burden of correcting these filing failures falls disproportionately on agency staff, who must re-serve NTAs and reinitiate proceedings under compressed timelines. As FTPs continue to rise, they pose a serious threat to the credibility and effectiveness of the Federal Government's immigration enforcement framework.

USCIS' Role in Resolving Unfiled NTAs

USCIS plays a crucial role in identifying and resolving unfiled NTAs, particularly through the affirmative asylum process. Many asylum applicants who are unable to file with the immigration court and nearing the one-year filing deadline resort to submitting Form I-589 to USCIS. In response to the increase in cases involving unfiled NTAs, USCIS posted guidance on its website to inform applicants where to submit their applications and how USCIS will process them.[76]

When USCIS receives a Form I-589 from a respondent who was previously issued an NTA that was not filed with the court or whose prior removal proceeding was treated as FTP due to a defective or unfiled NTA, the agency follows this process:

1. Accepts the new Form I-589.

2. Conducts security checks.[77]

3. Serves the applicant with an NTA.[78]

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[74] Notice of Failure to Prosecute | Department of Justice.

[75] *Id.*

[76] What Happens After You File Form I-589 With USCIS | USCIS. These applicants are ineligible to file online and must submit their Form I-589 to a USCIS Lockbox. I-589, Application for Asylum and for Withholding of Removal | USCIS.

[77] USCIS Asylum Division, Affirmative Asylum Procedures Manual, pp. 112-114, 185-187.

[78] Per USCIS' website, after USCIS issues an NTA, the immigration court will send a Notice of Hearing with information about the date and location of the hearing once the NTA is filed and docketed with EOIR. What Happens After You File Form I-589 With USCIS | USCIS. However, USCIS' Affirmative Asylum Procedures Manual (pp. 113, 186) instructs applicants to include the date and time on the NTA.

4. Files the NTA with the appropriate immigration court.[79]

5. Sends the Form I-589 to the immigration court where the NTA was filed.[80]

6. Notifies the applicant by mail.[81]

It does not appear that USCIS routinely consults with ICE—the agency responsible for representing the U.S. Government in removal proceedings—prior to issuing and filing the new NTA with EOIR.

Without proper correction of these NTAs, USCIS assumes responsibility for adjudicating Form I-589 applications for individuals already identified by DHS for removal. This results in the unintended consequence of granting such individuals a second opportunity to seek asylum, despite their removal status. The duplication of effort not only creates inefficiencies in the immigration enforcement process but also places an unnecessary burden on USCIS adjudicative resources.

Identifying Unfiled NTAs

USCIS must dedicate significant resources to resolving defective NTAs, which detracts from its ability to address its own workload. EOIR has taken steps to encourage DHS to file NTAs with the court promptly, as unfiled NTAs result in wasted hearing slots.[82] Unfiled NTAs can have a similar impact on USCIS. Delays in identifying such applications increases the likelihood that USCIS will unnecessarily schedule an asylum interview. Furthermore, unfiled NTAs, along with other asylum applications outside USCIS' jurisdiction, artificially inflate the affirmative asylum backlog by including potentially thousands of applications that should fall under EOIR's jurisdiction. Further, this workload diverts USCIS resources away from cases it is responsible for adjudicating. Moreover, the enormity of the backlog may encourage applicants with non-meritorious claims to file applications solely to obtain an EAD.

Pending asylum applications outside of USCIS' jurisdiction have already placed a strain on agency resources. From October 1, 2023, through June 30, 2024, USCIS administratively closed 52,409 asylum applications due to lack of jurisdiction (that properly are under EOIR

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[79] Asylum office staff are instructed to determine the appropriate EOIR court location by searching EOIR's system or contacting the EOIR Hotline. USCIS Asylum Division, Affirmative Asylum Procedures Manual, pp. 112-113, 185.

[80] The date USCIS receives the Form I-589 serves as the filing date for the purpose of the asylum one-year filing deadline. What Happens After You File Form I-589 With USCIS | USCIS. Also, when filing the NTA, USCIS is instructed to update the EAD Clock Status as, "Previously Issued/Unfiled NTA – Clock Running." USCIS also prepares a packet for EOIR that includes a Case Confirmation Worksheet showing the hearing date, time, location, elapsed days, and clock status. USCIS Asylum Division, Affirmative Asylum Procedures Manual, pp. 112-114, 185-187.

[81] Asylum Quarterly Meeting Notes, October 2024. *See also* What Happens After You File Form I-589 With USCIS | USCIS.

[82] EOIR Policy Memorandum, Updated Guidance for Receipt of Notices to Appear Filed by the Department of Homeland Security, August 22, 2024.

jurisdiction) and 3,261 asylum applications due to previously unfiled NTAs.[83] In response, in February 2024, USCIS implemented procedures to improve its ability to identify and automatically reject or administratively close asylum applications that fall outside of its jurisdiction.[84] In April 2024, USCIS' asylum adjudication system, Global, began automatically rejecting asylum applications submitted through the USCIS online filing system by applicants in removal proceedings.[85]

Despite these technological advancements, USCIS has not yet achieved similar efficiencies in processing cases with unfiled NTAs. Rather, these cases still require personnel resources.[86] In contrast, for cases with clearer jurisdictional issues—such as those where the NTA has been properly filed with EOIR—USCIS can cross-reference EOIR's system to automatically identify applicants currently in proceedings. Automating this identification and closure process helps prevent wasting interview slots and allows USCIS to shift non-interview adjudications away from field staff, enabling adjudicators to focus on cases that require interviews. Until USCIS can streamline its approach to applications involving unfiled NTAs, the agency will continue to divert resources to handling these cases.

Recommendations

The CIS Ombudsman recommends that USCIS:

1. Further leverage technology and improve coordination efforts to identify unfiled NTAs

USCIS has made strides in automating certain aspects of its asylum processing, but identifying unfiled NTAs without manual intervention remains a challenge. By leveraging technology and strengthening coordination with ICE and CBP, USCIS can flag unfiled NTAs earlier in the process. For example, EOIR's systems could be used to detect defective NTAs where there was an FTP.[87] USCIS may also be able to identify pending applications where an

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[83] John L. Lafferty, Former Chief of the USCIS Asylum Division, Declaration at p. 14, *Arkar Htoo v. Mayorkas*, No.1:24-cv-07514-JLR (S.D.N.Y. 2025). There is no data available on the number of unfiled NTAs currently in USCIS' 1.4 million affirmative asylum backlog.

[84] Of the 52,409 cases closed for lack of jurisdiction, 44% (22,893 applications) were closed manually by Asylum office staff, while 56% (29,516 applications) were identified and closed using the automated process beginning in February 2024." *Id.*

[85] *Id.*

[86] *Id.*

[87] USCIS may review certain information contained within EOIR's systems through DHS's Person Centric Query Service (PCQS). For example, through PCQS, USCIS can identify that the individual was issued an NTA, but the proceedings resulted in an FTP in the "IJ Other Comp" field. *See* USCIS Asylum Division, Affirmative Asylum Procedures Manual, p. 112. For further information on PCQS and the information sharing agreement between DHS and EOIR, *see* Privacy Impact Assessment for the Person Centric Query Service | DHS, March 8, 2016.

initial hearing was scheduled in ISS, but no corresponding proceedings exist in EOIR's adjudication system, prior to an FTP.

USCIS should enhance data-sharing capabilities and system interoperability to ensure accurate and timely identification of unfiled NTAs. Proactively identifying cases before they result in FTPs or jurisdictional errors will help streamline the asylum process, prevent USCIS from inadvertently scheduling asylum interviews where it lacks jurisdiction, and improve resource allocation across government. USCIS could consider expanding this effort to include pending applications where the individual, previously encountered by CBP or ICE, has not yet received an NTA from ICE because it is in a backlogged queue awaiting action.[88]

2. Establish a centralized process for resolving unfiled NTAs

The current procedures rely on individual asylum offices to resolve these issues, leading to inefficiencies and inconsistencies. A specialized unit, staffed with experts from the Refugee, Asylum, and International Operations Directorate, would streamline operations, improve response times, and ensure that unfiled NTAs are handled consistently across the agency. To further improve efficiency, USCIS could direct affected applicants to submit their asylum applications to a central location for processing. Centralizing the handling of these cases could also encourage identifying recurring systemic issues, such as errors that result in NTA filing delays or FTPs, allowing USCIS to recommend or implement long-term solutions.

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[88] "Notice to Appear Wait Times. The Committee is concerned that nearly 600,000 migrants are awaiting issuances of their Notices to Appear. For some, these wait times are over a decade long." H.R. Rep. No. 118-123, 118th Cong., 1st Sess. at 40 (2023).