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Policy Brief: Shuttering the CIS Ombudsman Closes the Door on Oversight and Accountability for USCIS

June 17, 2025

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On March 21, 2025, around 12:30pm ET, the Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) received orders to [cease operations](#). The U.S. Department of Homeland Security (DHS) placed all CIS Ombudsman staff, except for one Senior Executive Service staff member, on 60-day paid administrative leave and notified them of impending reductions in force effective May 23, 2025.¹ With those orders, this statutorily mandated agency,² whose job was to provide oversight and accountability over U.S. Citizenship and Immigration Services (USCIS), was suddenly shuttered after 23 years. This was done without Congress changing the Homeland Security Act. With this action, the Administration has effectively undermined Congress' mandate to ensure a working and fair immigration system by preventing the office from carrying out its operations and fulfilling its statutory mission.

As part of the separation of powers, the executive branch must carry out and enforce congressional mandates unless Congress repeals or amends them³ or the judicial branch rules them unconstitutional. Considering this and existing caselaw,⁴ the executive does not have the unilateral power to dismantle an agency created by Congress. Though DHS now claims in litigation that it has not dissolved the office, the senior executive who was serving as the Acting Ombudsman at the time was transferred to another agency and the rest of the staff was terminated on May 23, 2025.

The recent changes to the CIS Ombudsman will have lasting impacts on its ability to provide agency oversight and accountability, relieve overburdened congressional case workers, and provide timely

¹ Since then, the CIS Ombudsman's Office has dwindled down to one Executive Service Staff, the new CIS Ombudsman. <https://www.dhs.gov/person/ron-sartini>.

² 6 USC § 272.

³ U.S. Constitution art. II, § 3.

⁴ There is caselaw showing that the executive cannot eliminate agencies established by statute. In *American Fed. of Gov. Emp. v. Phillips*, 358 F. Supp. 60 (D.D.C. 1973), despite President Nixon's efforts to dismantle the congressionally mandated Office of Economic Opportunity (OEO), the court ruled that the agency heads' "responsibility to carry out the Congressional objectives of a program does not give him the power to discontinue that program, especially in the face of a Congressional mandate that it shall go on." See also *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 587 (1952) ("In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker... And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute.").

assistance on immigration matters. For the reasons described below, Congress must hold the Administration accountable for preventing the CIS Ombudsman from fulfilling its mission and fully fund the CIS Ombudsman through appropriations.

What does the CIS Ombudsman do?

The CIS Ombudsman was established by Congress in the [Homeland Security Act](#) of 2002,⁵ which created DHS. The CIS Ombudsman was created as an impartial and independent office to liaise between USCIS and the public. It was charged with providing case-level assistance with immigration benefit petitions, applications, and requests; analyzing systemic issues; and making recommendations for improvements directly to USCIS.⁶ Staffed with experts with extensive knowledge of customer service, pertinent policy, and immigration law, the office assisted individuals and employers in resolving problems with USCIS and recommended improvements to mitigate unproductive patterns and practices.⁷ Congress anticipated that the CIS Ombudsman would increase the agency's efficiency in streamlining services, advocate for administrative change, and hold the agency accountable to the people it serves. Under the auspices of this mission, the CIS Ombudsman carried out the following:

- **The CIS Ombudsman helped individuals, employers, and families navigate the complex immigration system.**
 - The public contacted the agency for assistance in great numbers. In 2023, the CIS Ombudsman received nearly 30,000 requests for case assistance.⁸
- **As required by statute, the CIS Ombudsman submitted an annual [report to Congress](#), which included the most serious issues faced by USCIS stakeholders requesting immigration benefits.**
 - The annual report also included recommendations for policy and procedural improvements. Under statute, USCIS must review and respond to these recommendations. For example, in response to the Ombudsman's suggestion of greater education efforts for employers on how to verify employment eligibility and proof of status of Temporary Protected Status (TPS) beneficiaries, USCIS produced employment eligibility verification guidance and held engagements to share information with the public and gather stakeholder feedback. In partnership with the CIS Ombudsman, the agency also implemented suggestions for the enhancement and communication of online tools to improve efficiency in adjudications.⁹
- **The CIS Ombudsman provided formal recommendations and informal proposals to USCIS throughout the year**, many of which were informed by their ongoing engagements with stakeholders and legal practitioners across the United States.

⁵ Pub. L. No. 107-296, 116 Stat. 2135

⁶ See HSA § 452(b)(1), 6 U.S.C. § 272(b)(1).

⁷ 6 U.S.C. § 272(b)(1).

⁸ The [Annual Report to Congress 2024](#) also noted a nearly five percent increase in inquiries from 2022 and a nearly nine percent increase from 2021, each of which was a previous record.

⁹ See https://www.dhs.gov/sites/default/files/2024-08/24_0814_cisomb_annual-report-uscis-response.pdf

- For instance, USCIS implemented several insights from the CIS Ombudsman to improve procedures for Special Immigrant Juvenile (SIJ) applications, which offers certain youth who are under the age of 21 and have been abused, neglected or abandoned by at least one parent, a path to legal permanent residence.¹⁰ The Ombudsman noted the need to update SIJ regulations, which was followed by agency guidance creating one set of comprehensive policies on SIJ classification via the USCIS Policy Manual. These examples demonstrate that the CIS Ombudsman's oversight functions are impactful and benefit both the agency and stakeholders.
- In response to backlogs and lapses in authorization, the CIS Ombudsman informally recommended automatic extension periods beyond 180 days for Employment Authorization Documents (EADs). A Temporary Final Rule was published on May 4, 2022,¹¹ and subsequently, in 2024, USCIS published a final rule to increase the automatic extension period for certain EADs up to 540 days.¹² This was of particular importance to the healthcare and caregiver industry following the COVID-19 pandemic.¹³ The implementation of this recommendation allowed the agency to prioritize its workload efficiently, prevented hundreds of thousands of EAD beneficiaries from experiencing lapses in work authorization,¹⁴ and assisted employers in sustaining workforce capacity.
- The CIS Ombudsman's office **held regular roundtable discussions with legal representatives and applicants/petitioners** on topics such as foreign worker layoffs, international student issues, Afghan re-parole, and online filing.
 - These engagements were critical to its statutory functions of identifying adjudication issues and ensuring the public could relay concerns about immigration processes to USCIS without the risk that it would jeopardize their individual cases. This role of the CIS Ombudsman is particularly critical since USCIS stopped all public engagement with stakeholders after January 20, 2025.

The work of the CIS Ombudsman not only shone a light on problematic policy and procedural areas of concern; it also allowed for more transparency within USCIS practices and provided stakeholders reassurance that laws, policies, and procedures were followed correctly, by serving as a “second set of eyes” for USCIS.

What happened to CIS Ombudsman staff?

¹⁰ See https://www.uscis.gov/sites/default/files/document/legal-docs/Response_to_CISOMB_SIJ_Recommendations_CSPE_LCU_9.28.16.pdf.

¹¹ Temporary Increase of the Automatic Extension Period of Employment Authorization and Documentation for Certain Renewal Applicants. [CIS No. 2714–22; DHS Docket No. USCIS– 2022–0002] Federal Register Vol. 87, No. 86, May 4, 2022.

¹² Increase of the Automatic Extension Period of Employment Authorization and Documentation for Certain Employment Authorization Document Renewal Applicants, 89 FR 101208 (Dec. 13, 2024).

¹³ Press Release: USCIS Increases Automatic Extension Period of Work Permits for Certain Applicants. <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.aila.org/files/o-files/view-file/C5087F9D-9401-4EB8-82D9-DF6F48B4298C> (accessed 6/16/2025)

¹⁴ 89 Fed. Reg. 101208.

Over the years, the Office of the CIS Ombudsman grew to a total of 46 employees, including the Ombudsman, caseworkers, and, most recently, Regional Liaisons. The plan was that [Regional Liaisons](#) would serve as an additional collaborative support to USCIS Community Relations Specialists within the same regions. Together, they covered national and regional issues to identify stakeholder issues that could be compiled and studied for future proposals and recommendations. Since the March 21, 2025 order was issued, the office has had only one employee.

In May 2025, Ronald Sartini was appointed as the new CIS Ombudsman. However, the announcement lacked a publicly outlined plan for how the CIS Ombudsman's Office will continue to uphold its statutory duties. During a U.S. District Court hearing held in May,¹⁵ Sartini declared his intent to restaff the office with only up to seven case workers and one person tasked with report writing.¹⁶ In the meantime, the Ombudsman's website has been predominantly archived, including the Frequently Asked Questions (FAQ) page. With Sartini serving as the only staff member for the foreseeable future, it seems practically impossible for the CIS Ombudsman to effectively process case inquiries, produce an annual report to Congress, and otherwise fulfill its statutory duties. Even if Sartini is eventually tasked with reviewing case inquiries sent to the CIS Ombudsman until additional limited staff is hired, one person cannot sufficiently handle the thousands of inquiries made each year.

Sartini's Declaration¹⁷ claims that the CIS Ombudsman is actively hiring with the goal of eight employees maximum to complete the work of the previous 45-member staff. The plan is incredibly inefficient and will continue to delay fulfilling the CIS Ombudsman's legal obligations. In early June, a single [job posting](#) for the Deputy CIS Ombudsman was posted for a five-day application period. The current CIS Ombudsman already failed to meet its mandate to provide an annual report to Congress by the [June 30](#) statutory deadline. Without fully functioning staff, it is unclear when and whether the report will be finalized. **Rather than attempt to replace and reduce staff, the CIS Ombudsman should reinstate the terminated employees and utilize their experience and expertise.** Furthermore, while Sartini appears to have served in several capacities at USCIS, none seemingly were related to adjudications, which is an essential component of the CIS Ombudsman. Without the customer-service focused staff and experienced leadership, the office will likely be unable to fully complete its mission as outlined in the Homeland Security Act.

Why does the CIS Ombudsman's suspension matter?

The recent changes to the CIS Ombudsman will have lasting detrimental effects on USCIS oversight, congressional offices, and individuals and businesses in need of assistance with immigration matters.

- Before these changes, individual applicants or petitioners were typically able to submit case assistance requests to the CIS Ombudsman using DHS Form 7001. Similarly,

¹⁵ See Trump appointee grilled in court about shuttering Homeland Security offices tasked with civil rights oversight, <https://www.cnn.com/2025/05/19/politics/homeland-security-civil-rights-offices> (last accessed 5/29/2025).

¹⁶ See Robert F. Kennedy Human Rights et al., v. U.S. Department of Homeland Security; Kristi Noem, in her official capacity, Case 1:25-cv-01270-ARC, Doc 33-1, page 2, May 22, 2025 <https://rfkhumanrights.org/wp-content/uploads/2025/06/ECF-33-RFKHR-v-DHS-Dec-of-Troup-Hemenway-2025.05.22.pdf>

¹⁷ See Declaration of Ronald J. Sartini, <gov.uscourts.dcd.279883.40.1.pdf>

attorneys or other interested parties—such as congressional offices, university officials, and employers—could also request assistance from the CIS Ombudsman. Case assistance requests represented a wide range of issues, including improper rejections, undelivered notices and decisions, and emergency or hardship cases. For instance, H-1B beneficiaries, employers, and green card applicants have relied on the CIS Ombudsman when applications are “stuck” or complicated by processing errors. Providing timely assistance helps U.S. families and businesses, particularly when delays threaten an individual with falling out of legal status or losing employment authorization.

- Over the years, the **CIS Ombudsman has addressed tens of thousands of case inquiries that could have otherwise oversaturated congressional offices not only with casework,¹⁸ but with the tasks of oversight and recommendations.** While Congress also performs these tasks, the CIS Ombudsman shared this important work and lightened the burden on congressional offices.
 - With the removal of the CIS Ombudsman, constituents in need of urgent immigration case assistance will have only one remaining place to turn to—congressional case workers.
 - Thousands of constituents already seek assistance from members of congress annually for various purposes, immigration-related matters being one of them.
Without the case assistance functions of the CIS Ombudsman, congressional case workers will be further inundated, increasing both pressure on congressional caseworkers and inquiry processing times.
- When responding to a case assistance inquiry, the CIS Ombudsman typically continued to follow up with USCIS until they provided a substantive response. Additionally, the CIS Ombudsman had access to USCIS systems and resources that allowed them to point out any inaccurate information provided by the agency. Congressional offices, on the other hand, do not always have the staffing level or immigration expertise necessary to determine if the information provided is accurate or sufficient. **If case assistance is left solely to congressional case workers, pushback on USCIS decisions, transparency in the information provided, and case resolution will be limited.**
- **Suspension of regular CIS Ombudsman activities effectively removes independent oversight of a key government agency, which is crucial to maintaining public trust.**
 - Intentionally separate from USCIS, the CIS Ombudsman could objectively monitor whether the agency was abiding by its rules and procedures. This kind of independent oversight creates transparency in government operations and enhances processes.
 - In addition to DHS Form 7001, the office also collected feedback and suggestions regarding USCIS trends through email at cisombudsman@hq.dhs.gov or policy

¹⁸ Between 2018-2023, the CIS Ombudsman received about 111,477 case inquiries. For 2024, it was projected that the office would receive about 30,000 case inquiries. See appendix of the Ombudsman CIS Ombudsman’s annual reports to Congress for statistics on yearly case inquiries: <https://www.dhs.gov/publication/ombudsman-annual-reports>.

issues at cisombudsman.policy@hq.dhs.gov. Currently, both emails appear to be unmonitored. The CIS Ombudsman's Policy Team used this information to fulfill its liaison duties and better work with the agency to resolve problems in the immigration benefits system.

- As detailed in its most recent annual report, the office consistently worked with USCIS to maximize its use of technology and reduce its backlog, all of which encouraged agency innovation.

With the dizzying pace of changes happening to immigration policies and procedures on an almost daily basis, the need for the CIS Ombudsman is more essential now than ever. Under the current Administration, the way in which USCIS operates has only created more questions and confusion. Applicants, employers, beneficiaries, and their legal counsel are left confused by the lack of transparency or notice of these changes and helpless to correct clear legal errors in USCIS adjudications during the upheaval.

Recommendations to Congress

AILA strongly urges Congress to provide oversight to ensure that the CIS Ombudsman continues to fulfill its obligations under the Homeland Security Act of 2002. As a first step, Congress must fully fund the CIS Ombudsman through appropriations. The 2025 DHS Appropriations Bill in the House of Representatives recommended a \$46,000 [increase](#) in funding for the CIS Ombudsman's operations. These funds permit the office to offer services free of cost, to remain separate from USCIS, and to fulfill its congressionally mandated duties. The [DHS Appropriations Bill for FY2026](#), now proposes a [\\$8.7 million](#) reduction to the CIS Ombudsman, which would be detrimental to carrying out its statutory mission.

Despite the Administration terminating the CIS Ombudsman staff, Congress has the authority to decide its future. Over the past 23 years, the functions of the CIS Ombudsman have proved crucial for case resolution, high-impact problem-solving, efficiency, and connecting the agency to the public to foster understanding. During the first Trump Administration, USCIS moved away from its customer-service oriented [mission](#), which resulted in crisis level processing delays and barriers to meaningful service and assistance.

The agency is likely to experience a similar increase in backlog and demand for case assistance in the next few years, just as we saw during the first Trump Administration. **Allowing the current Administration to dismantle this oversight office will not only be a grave overstep in executive power, but will flood congressional caseworkers with inquiries, remove agency accountability, lead to legally detrimental circumstances for the public and U.S. businesses, and put many immigrants in legal limbo.**