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Congress of the United States
House of Representatives

Juan Vargas
51st District, California

COMMITTEE ON FINANCIAL SERVICES
CAPITAL MARKETS, SECURITIES, AND INVESTMENT
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January 11, 2018

L. Francis Cissna
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, 4th Floor
Washington, DC 20529

Dear Mr. Cissna,


I am writing in regards to the U.S. Citizenship and Immigration Services (USCIS) lockbox's usage of standard automated response (please see attached letter) when returning an unaccepted petition. I kindly ask that your agency consider amending the language to reflect a more accurate response to individual applicants or include a disclaimer in the letter.

My office has dealt with cases where applicants receive the automated response with no additional information accompanied. Applicants are invited to resubmit their applications only to be rejected again upon receipt by the lockbox. Many applicants are left confused, as often times the letter misrepresents the actual situation of an individual by presenting conflicting information. If a more detailed letter, tailored to each individual applicant, is not possible, then I recommend adding a disclaimer to prevent confusion.

Of all petitioners, the individuals most affected are those filing for renewal under Deferred Action for Childhood Arrivals (DACA). In one instance, a DACA recipient and constituent of my district, applied for renewal, received the rejection notice and was invited to resubmit. When she resubmitted, the applicant then received a letter stating that her application was rejected as it was filed passed the original deadline. At no point was there a clear indication in the letter that her application would be rejected due to this matter. The uncertainty that follows after a situation like this gives false hope to vulnerable populations.

Again, I respectfully ask that your agency amend the language of the letter to accurately reflect the situation of each individual applicant or include a disclaimer in each letter. Please give this request full and fair consideration on its merits and in compliance with all applicable rules and regulations. If you have any questions, please feel free to contact my office at (619) 422-5963.

Sincerely,



JUAN VARGAS
Member of Congress



**U.S. Citizenship
and Immigration
Services**

February 7, 2018

The Honorable Juan Vargas
U.S. House of Representatives
Washington, DC 20515

Dear Representative Vargas:

Thank you for your January 11, 2018 letter regarding U.S. Citizenship and Immigration Services' (USCIS) Lockbox's usage of standard automated responses to rejected applicants, petitioners, or requestors.

With most rejections, it is not possible to include a letter tailored to each individual. The Form I-797 rejection notice is issued when an application, petition, or request is not accepted for filing at the USCIS Lockbox, and it includes language that attempts to address every reason for rejection, while also including enough information to assist the filer in making corrections and resubmitting their package.

Due to a federal court order issued by the U.S. District Court for the Northern District of California, USCIS has resumed accepting requests to renew a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) immigration policy. Accordingly, individuals who previously received DACA status and whose prior renewal request was rejected are now able to resubmit their request while the court order remains in effect. We are making adjustments to the verbiage that is included in our rejection notices. A green sheet with instructions advising the requestor to include the sheet with their resubmission is no longer included in any of the rejections of initial DACA requests. In addition, we are taking steps to remove the language that invites requestors to resubmit their application from the DACA Form I-797 rejection notices.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in black ink, appearing to read "L. Francis Cissna".

L. Francis Cissna
Director