



# Questions and Answers

## USCIS Meeting with the American Immigration Lawyers Association (AILA)

September 2013

### Overview

In September 2013, the USCIS International Operations Division planned to host an engagement with AILA representatives. By mutual agreement this engagement was ultimately canceled; however, the questions and concerns submitted by AILA prior to the scheduled meeting were addressed by USCIS. The information below provides a review of AILA's questions and the responses provided by USCIS.

### Updates From IO-Customer Service Survey

During the AILA teleconference on April 4, 2013, IO mentioned an upcoming customer service survey that would be administered throughout our international offices. Responses were collected April 22, 2013 to June 14, 2013 in all of our overseas offices. We received a total of 2,132 survey responses during this period. The purpose of the survey was to find out how well customers are being treated and if they are receiving the information that they need. We want to thank you for any customer service surveys submitted by AILA and your clients.

### Questions and Answers

#### GENERAL OPERATIONS

1. Please summarize the current staffing for USCIS International Operations (IO) at Headquarters and at various overseas IO offices. In addition, please provide a current organizational chart and staffing list for your office.

**Response:** An overview of the International Operations Division, including organizational charts may be found online at:

<http://www.uscis.gov/about-us/directorates-and-program-offices/refugee-asylum-and-international-operations-directorate/international-operations>

2. As you have made us aware on several occasions previously, IO continues to plan for workload and staffing developments on an ongoing basis. Since we last met, the Tegucigalpa, Honduras office has closed. Are any additional overseas offices scheduled to be closed during the next six to twelve months? How does an office closure, such as in Honduras, affect workload and staffing levels elsewhere?

**Response:** There are no additional scheduled closings at this time.

3. On our most recent call on April 4, 2013,<sup>1</sup> you made us aware that IO was considering opening a new office in Addis Ababa, Ethiopia. Has this discussion advanced and, if so, do you anticipate opening the office within the next six months? Is IO considering opening a Field Office in any other location(s)?

**Response:** The Department of State has denied the USCIS request to establish an office in Addis Ababa, Ethiopia, at this time.

## I-601 WAIVER ISSUES

4. On behalf of the Committee and AILA generally, we would like to thank you for the consistent guidance on both filing I-212 and I-601 applications abroad and availability of I-601 Expedited Adjudication Requests guidance on each office's webpage. Members are still coming to terms with the new filing requirements and the consistency of instruction/guidance across the page of multiple Field Offices is greatly appreciated.
5. Please advise how many I-601 waiver cases remain pending with IO and where these applications are being adjudicated. Are any cases being transferred to Service Centers or to Field Offices for adjudication?

**Response:** As of October 3, 2013, 29 Forms I-601 were pending with IO. The Forms I-601 are being adjudicated in the offices where they were filed, or if they were transferred to the International Adjudication Support Branch (IASB) in Anaheim, they are being adjudicated there. None are being transferred to Service Centers or Field Offices. Of the 29 pending on October 3, 2013:

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<sup>1</sup> AILA USCIS International Operations Liaison Teleconference Q&As (9/11/2012), Q2, AILA Doc. No. 12121950, <http://www.aila.org/content/default.aspx?docid=42550>.

7 were with IASB;  
 5 were in field offices within the Bangkok City District;  
 11 were in field offices within the Mexico City District; and  
 6 were within field offices within the Rome District.

6. During our two most recent AILA/USCIS IO teleconferences on September 11, 2012, and April 4, 2013, IO provided I-601 referral rates for overseas filing from March to August 2012.<sup>2</sup> Please provide statistics on the number of I-601 waiver applications that have been filed with IO under the exception to lockbox filing for emergent circumstances in this fiscal year. Please differentiate between CDJ and non-CDJ cases.

**Response:** As of October 2013, IO had accepted 38 Forms I-601 under the filing exception. Of those, 27, or 71%, were filed at CDJ. The breakdown is as follows:

IO I-601 Filing Exceptions by Location	
Office	Count
Ciudad Juarez	27
Tegucigalpa	3
Frankfurt	2
Guangzhou	2
Nairobi	1
London	1
Guatemala City	1
Amman	1
<b>TOTAL</b>	<b>38</b>

- a. In addition, IO informed us that they were considering ways through which to track cases that had been refused for filing.<sup>3</sup> Has progress been made on this? If so, would you please provide statistics on refused cases in this fiscal year?

**Response:** We have developed the infrastructure to be able to track the number refused for filing and will direct the field to begin tracking that information the third quarter of FY14.

- b. If an application is indeed accepted by IO for emergent circumstances, are these

<sup>2</sup> *Id.*, Q14, AILA Doc. No. 12121950, <http://www.aila.org/content/default.aspx?docid=42550>; *AILA USCIS International Operations Liaison Teleconference Q&As (4/4/2013)*, Q7, AILA Doc. No. 13061742, <http://www.aila.org/content/default.aspx?docid=44814>.

<sup>3</sup> *AILA USCIS International Operations Liaison Teleconference Q&As (9/11/2012)*, Q7a, AILA Doc. No. 12121950, <http://www.aila.org/content/default.aspx?docid=42550>.

cases being adjudicated by IO or being sent to SCOPS with a request for expedited handling/processing?

**Response:** They are being adjudicated by IO.

## OVERSEAS BIOMETRICS

7. Please provide any new guidance on the ability of USCIS overseas office to take biometrics for an individual who has a valid barcoded biometric appointment notice.

AILA would greatly appreciate the opportunity for applicants to process biometrics at any available USCIS overseas office which has the capability of capturing biometric information due to the added costs and time required for applicants to travel back to the US for the biometric appointments. If overseas biometrics were allowed, the biometric information would be captured by USCIS officers ensuring reliability and integrity. We submit to USCIS that allowing biometrics to be taken in this manner would not reduce the reliability of the biometric information and would greatly mitigate the hardship of overseas.

**Response:** There is no new guidance. Generally, biometric collection is only conducted overseas for applicants whose immigration benefits are adjudicated overseas, primarily for Refugee, Refugee/Asylee Following-to-Join, and Adoption cases. USCIS also collects biometrics overseas for a small number of individuals who may be eligible to derive status from T and U visa holders and are located overseas. The Biometrics Division schedules all other applicants to appear for an appointment at a US domestic location.

USCIS has reviewed your suggestion to permit biometrics collection overseas for reentry permit applicants. We have analyzed the number of individuals requesting expedited biometrics appointments in advance of traveling overseas assuming that many of those individuals would seek to have their biometrics captured overseas. Because our overseas offices are much fewer and much smaller than our domestic Application Support Centers (ASCs), they would not have the operational capacity to handle as many cases as are currently requesting expedited appointments.

The ASCs do not fall under the jurisdiction of the International Operations Division, and it would be inappropriate for us to give you a response on their operations. Therefore, we have invited our colleagues from the USCIS Biometrics Division to attend our next in-person meeting with you so that they can speak directly with you.

8. A particular travel burden is experienced by those who are in locations within the geographic jurisdiction of the Bangkok District Office. Would USCIS offices in Guam and Hawaii, for example, be open to the idea of allowing an applicant with a valid biometric appointment notice to travel to these offices to provide biometric information? Most ASCs in the U.S. provide one afternoon a week for individuals to complete biometrics on

a walk-in basis for any missed appointments or other valid reasons. If overseas biometric capture is not possible, allowing applicants to travel to Hawaii or Guam to provide biometrics would significantly mitigate hardship of applicants residing in the Bangkok District.

**Response:** As with question #7, we have invited representatives from the USCIS Biometrics Division to our next meeting to discuss ASC policies directly with you.

9. If certain ASCs or USCIS offices, either domestic or international, are able to accept an applicant with a valid biometric appointment notice for biometric processing or in emergent situation, we would very much appreciate a list of these offices and their hours of operation.

**Response:** As with questions #7 and #8, we have invited representatives from the USCIS Biometrics Division to our next meeting to discuss ASC policies directly with you.

10. During our call in April, you explained that USCIS was examining where and when it might be able to “reuse” an individual’s previously captured biometrics to update background and security checks.<sup>4</sup> You explained that “while technologically feasible, it is somewhat more complex to locate the individual’s biometrics that were previously collected in conjunction with a different application or petition, ensure that those biometrics were submitted by the same individual who is now filing another application type, and then associate those biometrics with the newly submitted application under another receipt number. In some cases, the person must physically appear at a USCIS facility so that his or her identify can be verified and USCIS can determine that the individual is indeed the applicant requesting the benefit. We are, however, actively working to determine instances where ‘re-use’ of previously collected biometrics is feasible and will not result in any loss of integrity to benefit adjudications.”<sup>5</sup>

Do you have an update on this?

If USCIS is concerned about matching the existing biometric information on record to the current applicant and requiring the applicant to appear at a USCIS office to prove identity, would you consider allowing this to be done at a USCIS Field Office abroad?

**Response:** USCIS continues to review the reuse policy, but at this time, we have not identified any additional scenarios in which the reuse of fingerprint images would improve the adjudications process.

11. Is DOS capturing biometrics on behalf of USCIS a viable solution?

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<sup>4</sup> *Id.*, at Q9.

<sup>5</sup> *Id.*

**Response:** Not on a high-volume basis at this time. Biometric capture by DOS is currently offered for certain immigration petitions requiring DOS visa processing and, for those cases, DOS must collect hard copy prints that are then scanned and sent to USCIS for USCIS to upload into USCIS systems. DOS collection of biometrics on behalf of USCIS would require system changes, database changes, processing procedures, staffing, legal and associated costs, and likely a USCIS fee study. This is something that may be viable on a wider basis in the future, but not at this time.

## **INTERNATIONAL ADOPTIONS**

12. Practitioners are sometimes told that humanitarian parole is a solution for a child in an emergency situation who has a preexisting relationship with a USC, such as a relative, or an adoptive or custodial relationship. It is our understanding that, as of October 2012, all parole cases have been entered into the International Operations Division case management system (CAMINO). How many cases involved requests for humanitarian parole for children in these types of emergency situations? Are approval rate numbers available for these cases? Can you tell us what the average processing time was for these cases?

**Response:** In FY2013, USCIS received 56 parole requests related to intercountry adoption cases, 4 of which were re-parole requests. Of these 56 requests, 15 were approved, 22 were denied, 1 was withdrawn, 1 was administratively closed, and 17 were pending adjudication at the end of FY2013.

IO cannot provide processing time by parole type, because we do not have reports that track processing time by reason for parole. Our target is to adjudicate parole requests within 90 days, excluding the time for the petitioner to respond to a Request for Evidence. Adoptions-related parole requests usually take longer than other parole requests because these cases often require coordination with the Department of State and, in some cases, additional coordination with other foreign governments.

13. Practitioners report problems with uniformity in decision making depending on where the case is processed. They also report problems of communication between the National Benefits Center, International Operations, and the Office of Children's Issues on difficult cases. Are there any proposals to address the lack of uniformity and to improve communication?

**Response:** Adoption-related immigration applications and petitions fall under the processing jurisdiction of the Department of State, the USCIS National Benefits Center (NBC), or the USCIS International Operations Division's international offices – or sometimes under the jurisdiction of more than one of these entities. In light of this, we have undertaken the following efforts to foster consistency in adjudication:

- Since 2011, we have conducted joint adoption trainings for USCIS and

Department of State officers to improve the consistency of adjudications across the U.S. Government.

- Additionally, the Department of State's Office of Children's Issues (CI), the USCIS NBC, and the USCIS International Operations Division hold quarterly internal adoptions meetings to promote communication and cooperation on intercountry adoptions issues.

IO works daily with the NBC and CI and routinely consults on complicated cases. Additionally, USCIS and the Department of State hold regular calls on a number of different countries including Guatemala, Russia, Ethiopia, and the Democratic Republic of Congo to ensure effective communication on more complicated issues. If there are specific examples of inconsistent adjudications or communication breakdowns we would appreciate more detailed information so that we may explore the issues more closely.

14. There are a handful of Hague Convention Partner Countries that do not issue Article 23 Certificates once the adoption has been finalized in the country of origin although the entire Hague process has been followed. As a result, consular officers sometimes refuse to schedule the interview or find that the visa is not readily approvable and returns it to USCIS for adjudication of the I-800. In this situation, could a process be identified in advance where the U.S. Consulate would issue the Article 23 Certificate so that the case could be swiftly adjudicated?

**Response:** We are unaware of any Form I-800 petitions that have been returned to the NBC because the country of origin would not issue the Article 23 Certificate even though the adoption complied with the Hague Adoption Convention. In those rare cases where the Department of State returns a Form I-800 petition to the NBC after NBC's provisional approval of the petition, the Department of State usually does so after conducting an interview in the child's country and when new evidence/information is presented that was not previously available to the NBC during the provisional adjudication of the Form I-800 petition. Again, we welcome specific examples so we can research the issue and coordinate with the Department of State if necessary. (NBC/FOD Response)

15. There are other Hague Convention Partner Countries, such as Peru, which exempt relatives from the Hague process. As a result, a U.S. citizen who attempts to adopt an eligible child through the Hague process is not able to secure the cooperation of the Central Authority, which is necessary in order to proceed according to U.S. law. Please provide the correct procedure the family should use in these countries?

**Response:** If a Hague Adoption Convention country does not consider certain adoptions to be governed by the Hague Adoption Convention, the child may be eligible to immigrate as an "adopted child" under INA 101(b)(1)(E) through the Form I-130 process.

It should be noted, however, that when a child habitually resident in another Hague Adoption Convention country is involved, the adoptive parent(s) will generally need to satisfy the two-year legal custody and joint residence requirements under INA 101(b)(1)(E) outside of the United States.

16. According to previous USCIS guidance and previous liaison with IO, an I-130 case may proceed outside of the requirements of the Hague Adoption Convention provided that the Central Authority of the child's country of citizenship 1) is aware of the child's presence in the United States, 2) is aware of the adoption, and 3) finds that the child is no longer a habitual resident of the country of citizenship. The Central Authority of the child's country of citizenship must be contacted to request a written determination that the child is no longer a "habitual resident" of that country. As long as the written determination is filed with the U.S. state court and is incorporated in the state adoption decree or in a supplemental order, the I-130 could be approved.

Members report that it is very difficult to obtain the written determination from the Central Authority of many countries when the child is no longer a "habitual resident" of that country. If a member contacted the Central Authority of a particular country to alert them of the child's presence in the U.S. and the adoption plan, and requested the written finding and received a response that such a written finding would not be issued by the Central Authority, and this response was incorporated in the state adoption decree or supplemental adoption order, could the I-130 be approved? In other words, if the family demonstrated their attempt to obtain this written determination and their efforts were documented in the state court filing, would the I-130 be approved?

**Response:** USCIS has been working very closely with the Department of State to develop policy guidance that will address these types of situations. On January 3, 2014, USCIS published an interim policy memorandum entitled, "[Criteria for Determining Habitual Residence in the United States for Children from Hague Convention Countries.](#)" The policy memorandum clarifies the criteria for determining whether or not the Hague Adoption Convention applies to the adoption in the United States of a child from a Hague Adoption Convention country other than the United States.

USCIS appreciates the comments that AILA submitted during the public comment period. We will carefully review all the comments submitted and will consider them before finalizing the guidance. USCIS continues to work closely with the Department of State on habitual residence issues and will keep the public informed of any new policy or guidance updates.

17. Please provide guidance on the type of evidence that is persuasive to establish that the adopted child and adoptive parents have resided together for two years outside of the U.S.?

**Response:** Generally, documentation of joint residence must establish that the



petitioner and the beneficiary resided together in a familial relationship. 8 CFR 204.2(d)(2)(vii)(B). Per Chapter 21.4 of the Adjudicators Field Manual (AFM), the petitioner, as adoptive parent, has the burden of proof in establishing that he or she has exercised primary parental control during the requisite residence period.

Evidence of parental control may include, but is not limited to:

- Evidence that the petitioner owns or maintains the property where the child resides, per 8 CFR 204.2(d)(2)(vii)(B);
- Evidence that the petitioner provides financial support and day-to-day supervision of the child, per 8 CFR 204.2(d)(2)(vii)(B);
- Passport entry and exits stamps, showing the periods of time that the petitioner was physically present in the child's country (note: the requirement of residence with the child connotes a familial relationship not inherent in a mere visit. The residence need not be continuous; however, the residence of a child with an adoptive parent entails more than a succession of visits by the adopting parent in the home of the child);
- Medical, school, religious, tax, or insurance documents that establish the petitioner's relationship, direct parental involvement, and common address with the child during the period claimed;
- Affidavits from knowledgeable individuals (such as the child's doctor or teacher, day care provider, landlord, relatives or neighbors) attesting to the petitioner's relationship, direct parental involvement, and common address with the child during the period claimed;
- Any other evidence that establishes the relationship, direct parental involvement, and common address between the petitioner(s) and the child during the period claimed.

Note: The person making an affidavit need not be a U.S. citizen. Each affidavit should contain the following information regarding the person making the affidavit: his/her full name and address; date and place of birth; relationship to the petitioner, if any; full information concerning the event; and complete details concerning how he or she acquired knowledge of the event. If the petitioner chooses to submit affidavits, the affidavits must be supported by one or more types of documentary evidence listed above.

The evidence must clearly indicate the physical living arrangements of the adopted child, the adoptive parent(s), and the natural parent(s) for the period of time during which the adoptive parent claims to have met the joint residence requirement.

## **OVERSEAS I-130 FILINGS**

18. Please provide fiscal year-to-date statistical information on the number of I-130 petitions filed with USCIS offices overseas, including per country or per office totals.

**Response:** See table

International Field Office	FY13 Receipts
Accra	29
Amman	324
Athens	384
Bangkok (Field Office)	182
Beijing	259
Ciudad Juarez	69
Frankfurt	1,263
Guangzhou	257
Guatemala City	136
Havana	21
Johannesburg	105
Kingston, Jamaica Field Office	7
Lima	128
London	1,351
Manila	411
Mexico (Field Office)	295
Monterrey	136
Moscow	68
Nairobi	29
New Delhi	136
Panama City	19
Port-Au-Prince	68
Rome (Field Office)	729
San Salvador	67
Santo Domingo	341
Seoul	973
Tegucigalpa	88
Vienna	45
<b>Total</b>	<b>7,920</b>

19. Are overseas offices reporting any recurring issues or problems with such cases, including issues relating to habitual residence of the petitioner overseas, military, or medical-based requests?

**Response:** We have not received reports of any issues or problems with this workload.

20. Please provide fiscal year-to-date statistical information on the number of requests for local processing of I-130s due to exceptional circumstances made by DOS that USCIS Field Office Directors have received. Of these requests, please provide examples of the kinds of circumstances which warranted approval.

**Response:** Between August 16, 2011, and September 16, 2013 (just over two years), international offices received approximately 475 requests. Of those, approximately 74% were approved. The top three reasons for exceptional circumstances were military emergencies, medical emergencies, and the petitioner receiving a new job in the U.S. with insufficient time to wait for domestic adjudication of the I-130.

21. Upon reviewing the USCIS website with respect to “International Operations: International Immigration Offices,” each post describes differently its approach to processing I-130s locally. For example, Vienna’s Field Office instructs applicants to file at the USCIS Chicago Lockbox first and then explains that U.S. citizens residing in

Austria for six months can apply in person. Consequently, the direct filing option is somewhat buried in the text. Whereas, several field offices instruct that U.S. citizens who reside “locally” may file an I-130 petition at the post’s USCIS office, the term “locally” is not defined. Since this may be a petitioner’s first (and possibly only) guidance as to whether he or she can file directly at the field office, would USCIS be willing to provide more information and/or guidance on its website alerting applicants that direct I-130 filing is available at the Field Office and under what conditions? In addition, akin to what IO has done with the guidance on I-601 and I-212 applications and to the extent appropriate, would it possible to provide more uniform guidance on individual office webpages?

**Response:** IO received over 2,000 responses to our 2013 customer service survey. One of the questions included in the survey asked how useful customers found the information on our webpages. The responses to that question indicate that our webpages are meeting customers’ needs; however, there were also several recommendations for improvement.

IO is currently reviewing our internet site and form instructions to identify areas requiring improvements, as well as best practices. We plan to revise our website during this fiscal year, and will keep your useful comments in mind during the process.

22. Following the Supreme Court’s decision in *U.S. v. Windsor*, 570 U. S. \_\_\_\_ (2013), what guidance and/or training has been provided to the Field Offices regarding the adjudication of same sex petitions and, as needed, the suitability of the same sex union laws in their jurisdiction? For example, it remains an open question as to whether the laws of certain countries, styled as “civil unions,” as opposed to “marriages,” might give rise to a permissible relationship for I-130 benefits (or applications for other benefits) due to the consistency with marriage laws as adopted in the United States. Are Field Office Directors empowered to make these decisions on their own or will centralized guidance be disseminated to the Field Offices either uniformly or on a country by country basis? If centralized guidance will be disseminated to Field Offices, is there an estimated time of arrival of such guidance.

**Response:** USCIS has provided general guidance to staff who adjudicate cases impacted by this decision, both domestic staff and international staff, intended to promote full implementation of the Windsor decision by providing that same-sex marriages should be given effect for immigration purposes to the same effect as opposite-sex marriages. IO will not be providing separate guidance.

To ensure that potential requestors and stakeholder receive access to all USCIS updates and information, USCIS will provide updates on this subject via our website. Please check [www.uscis.gov/samesexmarriages](http://www.uscis.gov/samesexmarriages) for updates and information. To receive email notices when web updates are made, click the “Get Updates for This Page” link on the lower right side page.

## HUMANITARIAN PAROLE

23. During our teleconference in April, IO confirmed that all queries on pending or denied humanitarian parole requests should be sent to the Humanitarian Affairs Branch (HAB) via mail or fax to the following:

Mail: DHS/USCIS/IO  
ATTN: HAB  
Massachusetts Ave, NW, 3rd Floor  
Mail Stop 2100  
Washington, DC 20529-2100

Fax: 202-272-8328<sup>6</sup>

- a. Please confirm that the address and fax number are still correct.

**Response:** Yes, the address and fax number are still correct

- b. Please indicate whether HAB is looking in to or willing to create a point of contact email address to allow contact via email in addition to mail and fax.

**Response:** Currently, HAB is not resourced to staff a public inquiries email box. We are exploring options with USCIS Customer Service to see how they may be able to assist.

24. Please provide fiscal year-to-date information on the number of humanitarian parole applications filed, granted and denied.

**Response:** See table

FY 2013 Parole I-131 Stats				
Receipts	Approved	Denied	Completed	Pending End FY
1,458	532	860	1,431	391

25. During our teleconference in April, IO stated its processing of non-urgent humanitarian parole applications had slowed beyond the 90-day processing target, resulting in a backlog of approximately 200 cases that were pending more than 90 days.<sup>7</sup> As a result, IO dedicated additional resources in the form of newly trained staff within the International Adjudications Support Branch (IASB) to assist with the adjudication of humanitarian parole applications in order to clear the backlog.

- a. Has the backlog indeed been cleared?

<sup>6</sup>*AILA USCIS International Operations Liaison Teleconference Q&As (4/4/2013)*, Q18, AILA Doc. No. 13061742, <http://www.aila.org/content/default.aspx?docid=44814>

<sup>7</sup> *Id.*, at Q19.

**Response:** HAB and IASB have worked diligently to reduce the backlog, resulting in only 391 cases pending at the end of FY2013, down from 600 cases pending as of the time of the AILA meeting in April 2013.

- b. What are the current processing times for non-urgent humanitarian parole applications?

**Response:** We do not have a processing-time break-down for non-urgent humanitarian parole applications. For FY2014, IO's target is to process at least 70% of all humanitarian parole cases within 90 days. IO strives to process those that are extremely time-sensitive (for example, the need to attend a funeral or court hearing), within the time period required to address the need.

- c. Are IASB staff members still assisting with the adjudication of humanitarian parole cases?

**Response:** Yes, the IASB continues to assist HAB with the adjudication of parole cases.

26. In addition, IO indicated that it was aiming to publish parole processing times on the USCIS public website, beginning in FY2014. Is IO on target to provide these processing times in October 2013?

**Response:** We hope to establish a mechanism for regularly reporting this data on USCIS.gov no later than the end of FY2014.

27. When a humanitarian parole application is initially denied by an HAB adjudicator, what is the internal process for finalizing the denial?

**Response:** Every parole adjudication is reviewed by a supervisor. Once the supervisor has reviewed the case and concurred with the decision, the petitioner, beneficiary, and attorney of record, if applicable, is notified of the decision.

28. If an applicant requests a review of a denied humanitarian parole application by HAB (either by mail or fax), what is HAB's standard procedure when reviewing a previously denied application?

**Response:** All parole decisions are final with no opportunity to file a Form I-290B Notice of Appeal or Motion. However, if there are changed circumstances or if new information is discovered that may impact eligibility for parole, a new Form I-131 should be filed with the USCIS Dallas lockbox. While there is no appeal of a denial of a parole application, HAB reviews all incoming correspondence, including letters that may allege legal error in the parole decision. HAB may in its discretion approve a Service motion to reopen if an error was made by our office.

29. During our teleconference in April,<sup>8</sup> IO stated that HAB would consider revising approval notice to specifically detail the validity dates of the parole authorization period. Has HAB reviewed the approval notice in light of a potential revision to include specific validity dates?

**Response:** It was our understanding from our previous teleconference that AILA made this request for re-paroled cases. HAB has revised both the approval notice sent to the petitioner and attorney of record (where applicable) and the parole authorization memo sent to the USCIS domestic field office, to include the beginning and end dates of the parole validity period for cases that are re-paroled.

For new parole requests, HAB is unable to place specific validity dates on the approval notice or authorization memo because 1) the parole beneficiary may not know the exact travel dates at the time of approval; and 2) Customs and Border Protection (CBP) ultimately determines the parole authorization period when the beneficiary presents him or herself to CBP at the port of entry.

30. During our liaison meeting in April, IO stated that humanitarian parole protocols and standard operating procedures (SOPs), which have been in draft form for some time, were undergoing internal review.<sup>9</sup> Is there a status update, understanding that this Committee is receiving more humanitarian parole procedural issues than we have in recent years?

**Response:** HAB recently reviewed the entire parole process to determine whether additional efficiencies might be gained that would enable HAB to reduce the processing time of a parole request. HAB piloted these new, internal procedures and will be making additional adjustments to the draft Parole Procedures Manual. It is our intent to be transparent in our process and we will consider releasing the Procedures Manual once it is finalized.

## REFUGEE/ASYLUM

31. In our last liaison meeting, IO indicated that much of the workload that may have been reduced with centralized filing of I-130 and I-601 applications was filled with Refugee and Asylum work, including adjudication of form I-590 and I-730. To the extent this work is being shared, as we understood, and some offices are adjudication these petitions outside of their jurisdiction, are there offices that are gaining a certain degree of expertise? Are there offices that do significantly more of these adjudications than others?

**Response:** The nature of USCIS international office workloads varies significantly among offices. Some offices have more experience processing refugee cases and refugee/asylee following-to-join cases, because that type of work forms a significant portion of their workloads. Other offices have greater expertise in other immigration

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<sup>8</sup> *Id.*, at Q23.

<sup>9</sup> *Id.*, at Q24

applications, such as military naturalization. However, all officers undergo significant training prior to processing the types of applications they are required to adjudicate.

32. Because so much Refugee and Asylum work is being processed by the overseas Field Offices, or at least more on a percentage basis than may have been done in the past, do Field Office Directors report to supervisors in all three divisions (International Operations, Refugee Affairs, Asylum)? Please describe the role of International Operations in these adjudications, if any, and how it may have changed after centralization of I-130 and I-601 cases.

**Response:** Operationally, all IO officers report through the International Operations Division chain of command (Field Office Directors report to Deputy District Directors, who report to District Directors, who report to the Chief of IO). However, the Refugee Affairs Division has the lead in setting all policy for refugee processing, and IO officers follow RAD guidance on refugee adjudications. Conversely, IO has the lead in establishing all policy and procedure for refugee/asylee follow-to-join travel eligibility determinations, and refugee officers follow IO's guidance in the few locations where RAD assists in processing follow-to-join cases.