

# AILA Quarterly

## Online Filing and Technology Issues

### Questions and Answers

On September 27, 2023, USCIS and American Immigration Lawyers Association (AILA) met to discuss USCIS online filing and technology issues. AILA provided the below questions, which USCIS answered.

#### **TOPIC 1: Future Enhancements to myUSCIS Architecture to Facilitate Attorney Use**

##### **Question 1: Linking Paper Filed Cases with Attorney Accounts**

Since the launch of myUSCIS, AILA members have encountered ongoing difficulties in linking paper-filed cases to an existing attorney/representative account. Members have reported numerous instances in which the attorney's myUSCIS account number is listed with all other information consistent with the attorney's information in the paper-filed application, but a paper-filed case is still not visible, and the attorney is unable to link it to their myUSCIS account.

In the current system, USCIS sends a notice with an online access code to the attorney of record to create a new attorney/representative account to access the client's case information and functionalities. This step is inherently inefficient as it leads to the creation of a large number of online representative accounts for which each attorney/representative must remember the emails and passwords relating to each new paper-filed case. Additionally, AILA has received reports that members can see some paper-filed cases in their attorney accounts, but not others, while all the information on the attorney section on the Form G-28 is the same.

**Could USCIS provide insight on why this happens, and identify which fields on which forms must match the myUSCIS account information for a paper-filed form to be linked with the attorney's myUSCIS account?** Our goal is to better understand the root cause(s) of this issue and to ascertain how we can best advise our members to facilitate a more efficient linkage process.

**Assuming this is a technical issue, please advise as to the agency's estimated timeline for when attorneys may link all paper-filed applications within one myUSCIS account, without creating multiple user accounts for each new application filed.**

##### **USCIS Answer 1:**

Being able to submit a paper-filed case and have full online functionality and integration requires substantive technical development utilizing advanced technology, and is particularly complex for representative accounts, which have a one-to-many

relationship. We regret the confusion and frustration that occurs when a paper case does not link to the intended account. We currently have a technical team working on a solution that will give attorneys and accredited representatives access to all their cases in their online account, regardless of which account the case was originally associated with as well as a follow-up solution that will consolidate the various disparate accounts into one account. We are several months away from releasing these solutions and appreciate your patience as we work to improve the experience for you.

In the meantime, we want to provide guidance to help avoid the creation of unintended new accounts. For a paper case to link to the correct account, the attorney's/accredited representative's paper Form G-28, Notice of Appearance as Attorney or Accredited Representative, must include certain data fields that are identical to their online account profile. This is part of our online account validation rules to ensure the integrity of the account. Those data fields are:

- Account number;
- First name;
- Last name;
- Address (all data fields);
- Bar number (if any); and
- Licensing authority (if any).

Attorneys and accredited representatives report that they prepare their Forms G-28 with software and therefore the forms are identical every time. However, when our team has researched concerns about Form G-28 matching, we usually find small differences in the Form G-28 information that is completed for submission with the paper form and the information provided by the attorney/accredited representative in the online representative profile, which the representatives may not have noticed. For example, a representative may have the address in the online account profile, "123 Main Street," with the word "street" spelled out, but the address listed on the paper Form G-28 uses the abbreviation "123 Main St." "Street" spelled out and abbreviated "St." are not considered a match in the system and therefore the incoming case would be associated with a new online account.

Another frequent example is the licensing authority. If the representative listed "WI" as the state where the attorney is licensed in the online account profile but listed "Wisconsin Supreme Court" on the paper Form G-28, this is not considered a match and will result in the incoming case being associated with a new online account. It is a best practice to enter the two-letter state abbreviation in the licensing authority data field. It is also important to note that AILA's guidance to include the account number on every Form G-28 is very helpful, but a reminder about providing the online account number alone is not sufficient to ensure the paper Form G-28 matches the representative's online account profile. The other data fields must also be present and match.

### **Question 2: Enterprise myUSCIS accounts**

At the AILA Annual Conference in June 2023, USCIS mentioned that an enterprise account upgrade in myUSCIS will provide for the establishment of principal and sub-accounts for paralegals and other firm associates will be launched in the near future. We

have experienced that this functionality works well with other federal agencies and we are eagerly looking forward to its implementation at USCIS.

**Could USCIS provide an update and timeline for this enterprise account upgrade?**

**USCIS Answer 2:**

USCIS is developing new functionality that will allow attorneys/accredited representatives and their paralegals to collaborate on form drafts. The functionality will initially be limited to preparation of H-1B registrations and Form I-129 H-1B petitions on behalf of company clients, although we intend to eventually expand the collaboration functionality to all form types as well as individual clients. Through the “invite a paralegal” process, attorneys and accredited representatives will be able to link the online accounts of the paralegals they employ to their own account, allowing for creation of form drafts that can be seen and edited by both parties. An attorney or accredited representative collaborating with their paralegals will still be responsible for preparing Form G-28 and reviewing, paying for, and submitting the completed forms in their own account. USCIS plans to release this new functionality in time for the FY 2025 H-1B registration process.

**Question 3: New Attorney of Record**

**Could USCIS provide an update on the process and timeline for when a successor attorney will be able to inform USCIS they are the new attorney of record on myUSCIS, and have access to the file digitally?** This issue is critically important to our members’ ability to fulfill their professional responsibilities to new clients.

**USCIS Answer 3:**

Attorneys and accredited representatives are currently able to file a standalone Form G-28 in their online account for the following form types, whether the form was submitted electronically or paper-filed:

- I-90, Application to Replace Permanent Resident Card
- I-765, Application for Employment Authorization
- I-821, Application for Temporary Protected Status
- I-821D, Consideration of Deferred Action for Childhood Arrivals
- I-130, Petition for Alien Relative
- I-131, Application for Travel Document
- N-336, Request for a Hearing on a Decision in Naturalization Proceedings (Under Section 336 of the INA)
- N-400, Application for Naturalization
- N-565, Application for Replacement Naturalization/Citizenship Document
- N-600, Application for Certificate of Citizenship
- N-600K, Application for Citizenship and Issuance of Certificate Under Section 322

They can also file a standalone Form G-28 online for an online filed Form I-589.

When an attorney or accredited representative files an online standalone Form G-28 for a form that the applicant filed online, the representative will have access to information from that original filing in their account.

By filing a new Form G-28, representatives are informing USCIS that the client has new representation, and USCIS will recognize the new representation.

We are working to add online filing for additional form types and will continue including the ability to file a standalone Form G-28 for those form types.

#### **Question 4: New Address for Attorney**

AILA members have reported that the myUSCIS system continues to mail notices to old addresses for the attorney or representative even though the attorney or representative has taken steps to update the account profile, as well as filling out online forms with the new address on the preparer section and on the Forms G-28. **Could USCIS provide guidance that we can share with our members on the most efficient and effective procedures to update addresses for attorneys/representatives who use the myUSCIS system?**

#### **USCIS Answer 4:**

We are aware of the issue and working to resolve the problem. We have raised it for attention with the technical team and will provide an update once a solution is implemented. Attorneys and accredited representatives should continue to update their mailing and physical address in their USCIS online account.

#### **Question 5: Form Corrections**

In the current myUSCIS system, after a client accepts a prepared form by an attorney or representative, the attorney or representative cannot recall the form to make necessary corrections. If a client mistakenly accepts rather than rejects the form requiring correction, the attorney or representative must delete the form to start over. **Would it be possible for USCIS to add a new functionality to enable an attorney or representative to recall a form accepted by a client and if so, what would be a realistic estimate of the timeline for implementation?**

#### **USCIS Answer 5:**

We are aware of this concern, and we are looking at how we can improve this process. We do not have a timeframe for implementation at this point, but we will share more information as it becomes available.

#### **Question 6: Improvement of the Form G-28 Handshake Process**

We have received numerous member reports commenting on the cumbersome nature of the Form G-28 handshake process. In essence, our members believe that it requires inordinate time and coordination with clients and can go sideways with the mere use of a back button by a client. It is understood this is a known user interface problem and we appreciate that USCIS is working on it. **Could USCIS offer information on the progress of this effort and provide an estimate of when it will be fixed?**

Please note that AILA is available to help with lawyer and client beta testers to facilitate this effort and improve the user interface's functionality.

**USCIS Answer 6:**

We are aware that the electronic Form G-28 handshake can be challenging for some attorneys/accredited representatives and their clients, and the agency is actively exploring options to streamline and improve the process. We welcome AILA's participation in beta testing for potential future solutions.

**TOPIC 2: Suggestions for Important myUSCIS User Interface Improvements**

**Question 7: Plans for Improving Searchability of myUSCIS**

The current myUSCIS account portal is difficult for members to navigate. Currently, users can view records by client or case only. The filters only allow sorting by form type and alert type (action required or draft expiring soon) which makes searching cumbersome for users with a significant number of matters in the myUSCIS system.

**Would USCIS consider adding filters to the myUSCIS portal to enable it to sort cases by date filed, client name (in the case tab), or latest action taken by USCIS? In addition, would USCIS consider creating an archive feature for applications that have been approved or otherwise closed?** These functionalities would make the system significantly more efficient for our members and thus increase its use.

**USCIS Answer 7:**

Yes, we are considering adding filters to make it easier for attorneys and accredited representatives to manage the volume of cases in their online account. At the top of the list is an archive feature for closed cases. Any filters we develop must be prioritized and balanced with other priority projects we are currently working on.

**Question 8: Integration of Case Status Online with myUSCIS**

As of December 4, 2020, USCIS discontinued the creation of new accounts on Case Status Online (CSOL). With the end of this valuable service, USCIS stakeholders, including attorneys, can no longer set up an account to receive an alert via email or text on their case(s). Members greatly appreciated the ability to input receipt numbers or identifying information on applications on CSOL and receive alerts on applications with identifying information.

To increase efficiency and promote use of the myUSCIS system, AILA believes it would be beneficial for both USCIS and its stakeholders to implement the following recommendations once attorneys are easily able to link all paper-filed cases with their myUSCIS accounts:

- Enable the system to notify the attorney of record through myUSCIS when any action is taken by USCIS on a case, and when USCIS notifications are sent out for actions on the myUSCIS account, the text or email message includes specific

information relating to the matter so that the attorney or representative can quickly identify the case related to the action taken, similar to the CSOL functionality.

- In the alternative that USCIS cannot include the applicant or receipt number in a notification, AILA requests that USCIS set up an alert section on the myUSCIS attorney landing page to show any cases that have a new action taken (or create a filter for the last USCIS update as described in Question 7 above).
- **As an interim measure, during this period where myUSCIS account functionality is unable to link all paper-filed attorney cases into an enterprise account, could USCIS temporarily enable new accounts in CSOL until this functionality is operational in myUSCIS?**

### **USCIS Answer 8:**

Thank you for your feedback and recommendations. We are working on prioritizing these requests. For the first recommendation, to enable notifications when an action has occurred on a case, we are exploring options to address your needs and would like to re-engage with you early in calendar year 2024 to discuss further.

For the last recommendation regarding CSOL, unfortunately, we cannot enable new accounts within CSOL because we are urging adoption of the case status functionality within the USCIS online account. We will keep AILA updated on timelines for implementing improvements.

### **TOPIC 3: API Integration Development for Immigration Case Management Platforms**

#### **Question 9: USCIS' Anticipated Timeline for API Integration**

During the AILA Annual Conference in Orlando, USCIS announced that an Application Programming Interface (API) allowing communication between myUSCIS and external immigration case management systems is forthcoming. AILA understands that USCIS has already made an API for FOIA requests available, and that BlueDot immigration case management software is the first company to work directly with USCIS to test and roll out online filing of FOIA requests directly from their technology platform. This positive first step is greatly appreciated.

Most AILA attorneys/representatives (as well as corporations, universities, and community-based organizations) use case management systems to securely obtain client information for completion of forms and to track immigration processes for large numbers of applicants, employers, and beneficiaries. Thus, AILA appreciates these developments and further notes that a fully implemented API integration capability would vastly increase use of e-filing among AILA attorneys, as filing applications online currently necessitates duplicative manual data entry increasing the possibility of human error that could be avoided by populating information into forms through a case management system.

**Could USCIS provide an update of this important effort and advise as to the planned timeline for broader implementation of an API for external case management systems?**

**USCIS Answer 9:**

We are continuously maturing our API program. For example, we recently provided production access to software vendor BlueDot to send A-file FOIA requests to USCIS directly from their tool. Interested software developers can sign up for sandbox access and learn about production access on <https://developer.uscis.gov>.

We continue to improve this existing API and consider new API offerings. One of the offerings that we know would be most popular is form submission via API, and USCIS continues to consider how we might be able to meet the technology, security, and identity verification requirements of providing this product. We will provide more details as they become available.

**TOPIC 4: myUSCIS Technical Assistance**

**Question 10: Technical Assistance Improvements**

AILA members continue to report difficulties when seeking technical assistance while using myUSCIS. Currently, the only way to seek technical assistance is in connection with a submitted application. As you are aware, the technical assistance request form requires selection of a receipt number from a dropdown menu to proceed. When a technical problem arises that is not directly related to a submitted case, myUSCIS does not provide a viable way to obtain assistance for technical glitches. For example, no technical assistance is available when the myUSCIS fails to load case information even though client names are visible. When the system fails to load, an application that was filed is not visible in the portal and an attorney cannot verify whether a case was filed. Other issues include disappearance of cases with myUSCIS and the notification box asking users to continue to refresh the page.

AILA members who work on pro bono and humanitarian cases also note that this is a significant issue affecting meaningful access by clients to their case information because pro bono clients may not have access to resources to find technical solutions or their access to online services may be limited.

**Could USCIS provide an update on efforts to address this gap in support services and estimate when it will provide timely assistance for the full range of myUSCIS profile and system support issues?**

**USCIS Answer 10:**

We understand the frustration and recognize that prompt assistance for technical support is paramount. We are evaluating ways to expand access for scenarios that you mentioned as well as other common issues that are beyond the scope of the current webform on [uscis.gov](https://uscis.gov) that is limited to password resets, account lockouts, requests for a new online access code, and requests to change how the user receives the one-time PIN. More details will be provided by FY 2024, Q2.

## **TOPIC 5: Technology Enhancements**

### **Question 11: H-1B Online Filing**

At our prior engagement in April 2023, we learned that the agency's goal is to have H-1B cap exempt petition online filing capability by January 2024 and then cap subject petitions by April 2024, just in time for next year's H-1 cap season. Again, while we greatly appreciate and support the agency's e-filing initiatives, we would like to have a better understanding of how this will be implemented so that we can best advise our members.

Given the previously highlighted limitations with respect to myUSCIS as well as the current lack of APIs for H-1B related forms, issues that will directly affect our members' widespread adoption of online H-1B filing, **can USCIS provide an update on the timeline for the implementation of an online filing system for H-1B petitions?** Our members are also interested in learning whether the online filing system will be mandatory or whether users will have the option to submit paper-based petitions.

### **USCIS Answer 11:**

USCIS is still targeting to deliver a Form I-129, Petition for a Nonimmigrant Worker, online filing capability for the upcoming (FY 2025) H-1B cap season. More details, including the public engagement schedule, will be communicated in advance of the cap season. At this time, we do not expect online filing will be mandatory for the upcoming H-1B cap season.

### **Question 12: Form I-589 Receipt Numbers and AR-11 Issues**

AILA members have reported that for online filed Form I-589 applications, the receipt numbers are issued with numbers beginning with MGL. It appears that the AR-11 system does not recognize the MGL receipt numbers and is issuing notices indicating that something is missing. Attorneys handling asylum cases are trying to find solutions by substituting the MGL with a traditional asylum office receipt prefix such as ZCH or ZAR on these AR-11s. **Could USCIS provide guidance for these Form I-589 online applications on how best to use MGL receipt numbers to update these applications and track progress?**

### **USCIS Answer 12:**

We are excited to share that the agency anticipates launching enhanced functionality within the USCIS online account soon that will support near real-time address updates for applications filed online and by paper, including cases with a MGL receipt number.