

# USCIS Accountability: An Examination of "Blank Space" Rejections



AMERICAN  
IMMIGRATION  
LAWYERS  
ASSOCIATION

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# Application for Asylum and for Withholding of Removal

## What is the I-589 Application?

- » Used for applying for asylum in the United States
- » Must be completed within one year of entering the United States
- » Can apply at any age
  - » Processes are different for children under the age of 18
- » 4 Service Centers
  - » California
  - » Nebraska
  - » Texas
  - » Vermont
- » \$0 filing fee

## Analysis of I-589 Applications

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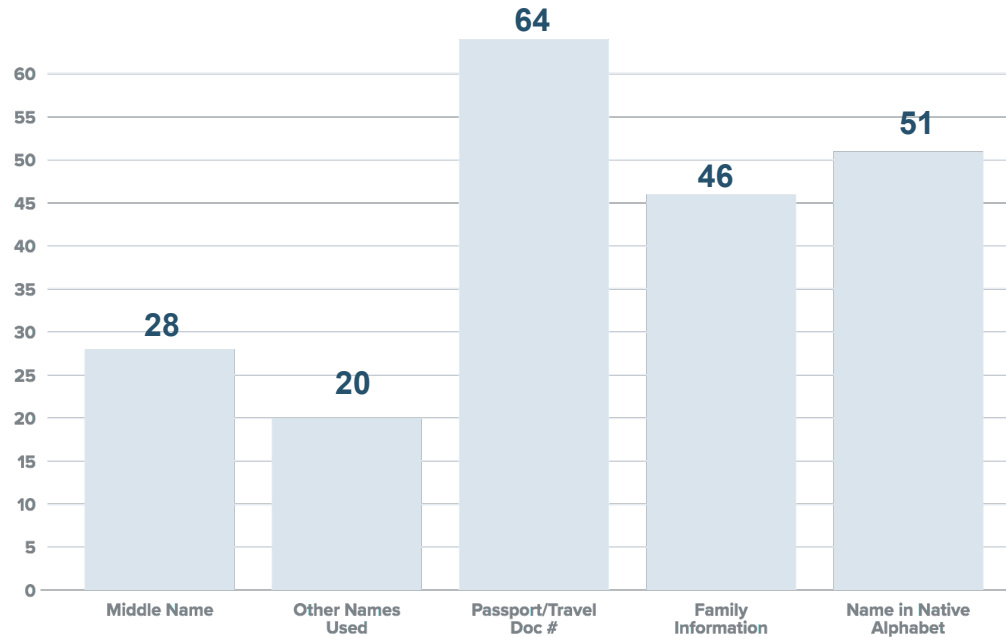
<b>Service Center</b>	<b>Number of Applications</b>
California	11
Nebraska	82
Texas	49
Vermont	47
<b>TOTAL</b>	<b>189</b>

## Analysis of Rejections Across All Service Centers

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- » Using terms such as “None,” “Not Applicable,” or “-”, instead of "N/A"
- » False USCIS claims of missing supplements
- » Not including “from” dates on current address
- » Not accepting old forms
- » Vague use of “if any” throughout questions

## Most Common Blank Space Rejections



5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.

(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Full Name	City/Town and Country of Birth	Current Location
<i>Mother</i> Jane Doe	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Father</i> John Doe	Managua, Nicaragua	<input checked="" type="checkbox"/> Deceased
<i>Sibling</i> John Doe Jr.	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Sibling</i>		<input type="checkbox"/> Deceased
<i>Sibling</i>		<input type="checkbox"/> Deceased
<i>Sibling</i>		<input type="checkbox"/> Deceased

Full Name	City/Town and Country of Birth	Current Location
<i>Mother</i> Jane Doe	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Father</i> John Doe	Managua, Nicaragua	<input checked="" type="checkbox"/> Deceased
<i>Sibling</i> John Doe Jr.	Managua, Nicaragua	<input type="checkbox"/> Deceased New York, United States
<i>Sibling</i> N/A	N/A	<input type="checkbox"/> Deceased N/A
<i>Sibling</i> N/A	N/A	<input type="checkbox"/> Deceased N/A
<i>Sibling</i> N/A	N/A	<input type="checkbox"/> Deceased N/A



- » Most Common Blank Spaces:
  - » Name in Native Alphabet
  - » Travel Document #
  - » Family Information
  - » Middle Name
  - » Other Names Used
- » Unaccompanied Child (UAC) already in removal proceedings, so the form needed to be filed with an immigration judge
- » Did not put N/A for all blank sections
- » Did not provide 5 years of employment history

- » Most Common Blank Spaces:
  - » Name in Native Alphabet
  - » Middle Name
  - » Other Names Used
  - » Spouse or Child Middle Name
  - » Family Information
  - » Put “None” instead of “N/A”
  - » Put “No Employment” instead of “N/A”
  - » No end date for current address
  - » Form completed in pencil; even though no ink provided by ICE
  - » Request for birth certificate

- » Most Common Blank Spaces:
  - » Family Information
  - » Travel Document #
  - » Name in Native Alphabet
  - » Claims of missing information, but supplement B form was attached

- » Most Common Blank Spaces:
  - » Name in Native Alphabet
  - » Family Information
  - » Middle Name
  - » Other Names Used
  - » Travel Document #
- » Did not put “N/A” for all blank spaces
- » Signature was in blue ink
- » Claims of no passport photo, even when photo attached
- » False claims of incomplete sections on forms

## Impact of Rejections

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- » Applicants risk falling out of status solely for non-substantive reasons due to delays in receiving rejection notice
- » Applicants who are 17 years old risk losing their UAC status
  - » Most common in Vermont and Nebraska Service Centers
- » Undue stress and worry for applicants
- » Need to refile adds to already lengthy processing times and increases costs.



# Petition for U-Visa Nonimmigrant Status

## What is the I-918 Application?

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- » U-Visa is for victims of certain criminal activity who have been physically/mentally abused
- » Can petition for temporary immigration benefits for self and qualifying family members
- » Requires a “Supplement B,” which is a form completed by a law enforcement officer
- » \$0 filing fee
- » Adjudicated at only one service center (Vermont)



## Analysis of Rejected I-918 Applications

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- » Most Common Blank Spaces
  - » Spouse/Child Information
  - » Other Names Used
  - » Apartment Number
  - » Middle Name
- » Other reasons for rejections
  - » Claims parts were left blank
  - » Claims incorrect form used
  - » Did not put “CONFIDENTIAL” into every address field
  - » Used “None” or “Not Applicable” instead of “N/A”

## Impact of Rejected I-918 Applications

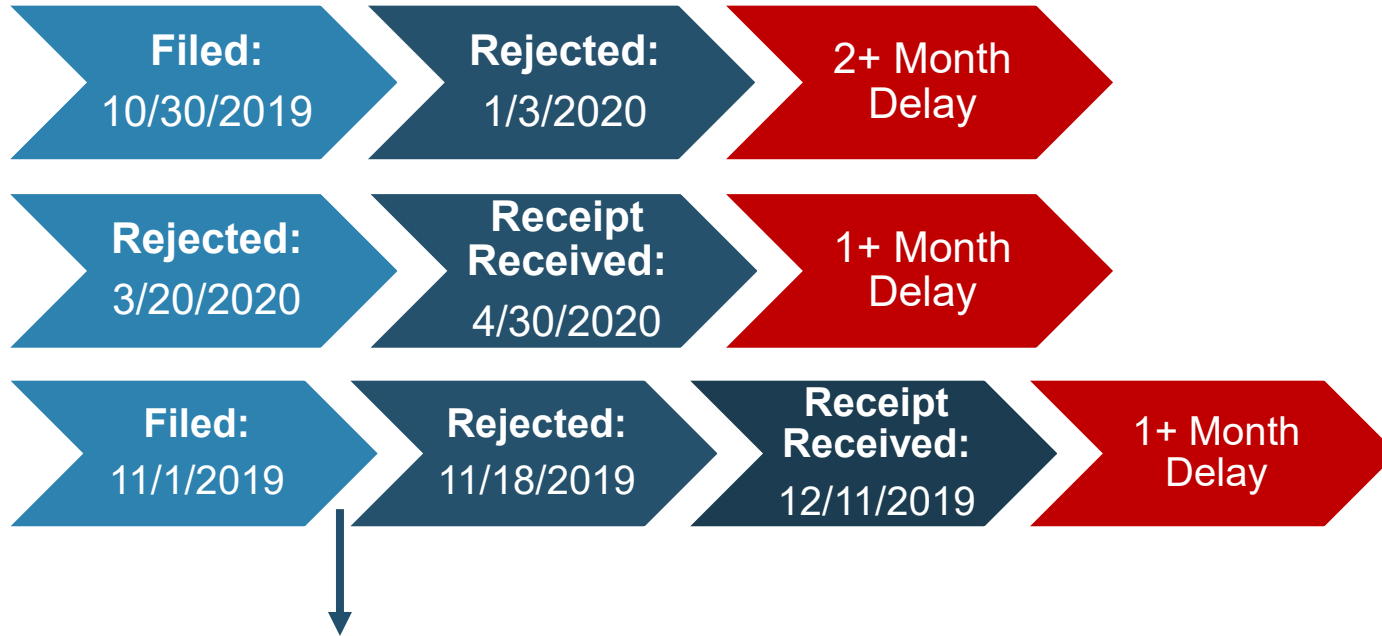
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- » Unnecessary delay in already lengthy process and additional financial expense
- » Need to seek a new Supplement B from law enforcement officials
- » U Visa certification expired
- » Version of Form I-192 no longer accepted

**Case Processing Delays  
Openness and Transparency  
Efficient Regulatory and Policy Review Processes**

## Case Processing Delays and Inconsistencies

- » Delays in both rejections and receipts
- » Blank space rejections are consistent across service centers
- » Vermont and Nebraska service centers more likely to reject UACs who are close to “aging out”
- » Policy and rule changes to consider include:
  - » Adherence to statutory mission of adjudicating immigration benefits applicants efficiently and fairly
  - » Mandatory compliance training to ensure consistency in adjudications
  - » Expediting necessary rejections to minimize adverse impact



## Openness and Transparency & Regulatory Review Processes 22

- » Variances between service centers show a lack of communication and emphasize the power of individual USCIS agents in decision making
- » Policy and rule changes to consider include:
  - » Rescind policy to reject forms for non-material blank spaces
  - » Ensure rejections are consistent with form instructions
  - » Ensure that substantive policy changes are only developed after notice and comment so the public can analyze the impact.
  - » Discuss potential changes with stakeholders before enacting