



# Question & Answer

June 24, 2008

## USCIS NATIONAL STAKEHOLDER MEETING *Answers to National Stakeholder Questions*

**Note:** The next stakeholder meeting will be held on July 29, 2008 at 2:00 pm.

- 1. Question:** Under the new re-entry permit procedures, applicants receive biometrics appointment notices in the United States after they file their I-131 applications. We have encountered several individuals who (due to the fact that they did not have prior notice of these new requirements) had already purchased airplane tickets to return to the United States for a limited period of time during which they planned to file an I-131 application. In many cases, these individuals only made travel arrangements to be in the United States for a period of one week or less. In the past, this did not affect I-131 processing as biometrics appointments were not required, and the applicant could file the application and then depart, however, this is no longer the case. In general, once an I-131 application is filed, the how long does it take before a biometrics appointment is issued and does this vary according to ASC location?

**Response:** For normal I-131 processing, applicants will be scheduled for a biometric appointment approximately three to four weeks after receipt of the I-131, and this time estimate is consistent for all ASC locations. Expedited processing is made available by the Nebraska Service Center on a case-by-case basis. Instructions for requesting an expedited application are detailed on the Form I-131 Instructions, Rev. 05/27/08. If approved for expedite, the NSC has the capability of scheduling an applicant for an expedited biometrics appointment.

- a. The ASC appointment notices that we have seen instruct the applicant to send a request for rescheduling to the ASC where the appointment was originally scheduled. If an applicant receives a biometrics appointment but has to reschedule it, how does the reschedule procedure work?

**Response:** Once the ASC staff member receives a request, s/he pulls up the current appointment in the scheduler, verifies the applicant's information, makes changes if appropriate (eg. address changes), and reschedules for the "next available" appointment or by date. New notices are automatically generated and sent.

- b. May an applicant request that the biometrics appointment be rescheduled during a certain time frame (i.e. one week July 10-July 17) or after a certain date/point in time when they will be back in the U.S. for a longer period of time?

**Response:** Yes, on both points, if emergent circumstances warrant exceptional handling of the application.

- c. Who at an ASC considers these requests for rescheduling and what guidance has USCIS provided to ASCs about rescheduling appointments?



**Response:** Rescheduling requests can be made by the ASC Manager, Site Supervisor, or other staff trained on the scheduler. Standard Operating Procedures are provided on the process of rescheduling applicants and on use of the scheduling system.

- d. May a request be made to have the ASC appointment in an area of the country other than where the original ASC appointment was scheduled and if so, how should such a request be made?

**Response:** Yes, address changes should be noted in the rescheduling request.

- e. If an applicant mails a request for rescheduling, but does not receive the new appointment before the original appointment date, how can the applicant verify that the request is being processed?

**Response:** The applicant can contact the National Customer Service Center at 1-800-375-5283 to receive an update on the ASC appointment currently noted in the scheduling system. If the client experiences a delay in the processing of their reschedule greater than 30 days, they should contact the NCSC. USCIS will follow up directly with the appropriate ASC to make sure that the appointment is rescheduled.

- f. If an applicant successfully reschedules the biometrics appointment, does this impact the processing of the I-131 application (will the process take longer)?

**Response:** Yes, delay of the biometric processing necessarily delays overall processing of the application.

- g. If an applicant has had their biometrics taken in connection with another application (i.e. I-485) within the past 15 months, can those biometrics be used for the I-131 application?

**Response:** The 15-month window refers to the validity of the response from an FBI background check, based on the submission of an applicant's ten-print fingerprints. For application types that require biometric images (photograph, signature, and press print) as well, such as the I-485 and the I-131, in most cases a new set of biometric images must be captured to associate with each application.

**2. Question:** What is the status of the study guide for the new citizenship test?

- a. In the past, the Office of Citizenship had discussed creating two study guides, one at the intermediate level and one for low-level English speakers. Is this still planned?

**Response:** No. On September 27, 2007, the Office of Citizenship released the new naturalization test questions and answers for civics and the new English vocabulary, which constitutes the main study resource for the naturalization English and civics test.

To promote civic learning as part of the naturalization process, the Office of Citizenship will provide study materials for immigrants and teacher training resources for educators and volunteers. In the self study category, USCIS will provide an updated version of *Learn About the United States: Quick Civics Lessons*, which will have a red cover to distinguish the document from the previous version. The revised Quick Civics Lessons will be online by September 1, 2008. Free dissemination to all naturalization applicants at Application Support Centers will begin on October 1, 2008. During the transition period between October 1, 2008 and October 1, 2009, when both the current (old) and



new naturalization tests will be used, the revised Quick Civics Lessons will include the civics questions and answers for the current (old) test. In addition, the Office of Citizenship will revise the *Civics Flash Cards* to reflect new test content and will introduce *English Vocabulary Flash Cards* for the new test. Both sets of cards will be red and will be available free online and for purchase from the Government Printing Office in late summer 2008.

In addition to these study materials for immigrants, the Office is holding Regional Training Conferences and training workshops for educators and volunteers. The goal of these training opportunities is to provide educators and volunteers the skills and knowledge to be able to incorporate fundamental U.S. history and government concepts into English as a Second Language instruction. The training has three elements: the fundamental principles of American democracy, an overview of naturalization eligibility and the naturalization process, and the skills required for the new naturalization test.

- b. In the past, the Office of Citizenship told us they were planning to create a glossary of difficult vocabulary words on the N-400 for applicants to study. Is this still planned?

**Response:** We do not plan to create a glossary of difficult vocabulary words. The Application for Naturalization, Form N-400 is a legal document, which does contain legally required terms and phrases. To help applicants better understand some of the more complex terms and phrases, USCIS Adjudicators repeat and rephrase questions. In addition, an applicant can ask clarification questions to the adjudicator.

3. **Question:** Could USCIS please provide an update on training for adjudicators on the new citizenship test?

**Response:** The training for adjudicators will be announced in August 2008 with a deadline for completion prior to October 1, 2008. Training will include online training and a training manual that will provide information about the statute and regulation guiding the educational requirements for naturalization, how to administer and score the test, and use of the standardized test forms created for the civics test and reading and writing test. The online training will also require Adjudicators to take a brief refresher course every year, which will include sample items on scoring. Each Adjudicator will receive a copy of the training manual as well as a disc containing the standard civics, reading and writing test forms. Once policy guidance is issued and the field offices have received the training materials, Headquarters will hold teleconferences with each Region where the field can address any questions or concerns they may have.

- a. Will all N-400 adjudicators receive training by October 1?

**Response:** Please refer to the above response.

- b. As part of their training, will adjudicators still receive a list of re-phrased questions pertaining to the N-400?

**Response:** No changes have been made to the N-400 application as a result of the redesigned naturalization test. Adjudications Officers are still required to repeat and rephrase questions until the Adjudicator is satisfied that the applicant either fully understands the question or does not. Adjudicators are encouraged to use the list of rephrased N-400 questions that were provided to Adjudicators in an interoffice policy memorandum issued on September 28, 2006.



4. **Question:** How will adjudicators implement due consideration on the new test and how will due consideration be covered in the training?

**Response:** The training manual, online training, and policy guidance developed for Adjudicators on the redesigned naturalization test will reference the regulatory requirements for due consideration provided in 8 CFR 312.2(c)(2). Adjudicators may exercise due consideration only when administering the civics test for naturalization. Standardized civics test forms comprised of designated questions have been created for Adjudicators to administer when applying due consideration. The online training and training manual accompanying the redesigned test will give instructions on how to use these test forms.

5. **Question:** How will the new citizenship test be scored for the English reading and writing and will a written scoring sheet be used and become part of the client's A-file record?

**Response:** Scoring guidelines have not changed as a result of the redesigned test; however, in the training and policy guidance for Adjudicators, scoring guidelines will be clarified for the English component of the test. To clarify scoring guidelines for the public, USCIS has posted a document "Scoring Guidelines for the English Portion of the Naturalization Test" at [www.uscis.gov/newtest](http://www.uscis.gov/newtest).

When administering the reading and writing test, the Adjudicator will choose one of the standardized reading and writing test forms to administer, which will be placed in the applicant's A-file after completion. Therefore, there will be a record of what the applicant was required to read and what sentence(s) the Adjudicator dictated for the applicant to write. A piece of paper with lines will be provided to the applicant to write the dictated sentence(s) which will also be placed in the applicant's alien file. The Adjudicator will check off "pass" or "fail" to indicate a passing or failing score.

6. **Question:** Could USCIS please announce at the National Stakeholder meetings when new topics are posted or about to be posted on the USCIS website (i.e. the new citizenship test)?

**Response:** USCIS provides a subscription service for those who wish to be notified of new changes and updates to [www.uscis.gov](http://www.uscis.gov) which can be sent out individually, as changes occur, or as daily/weekly/monthly digests. Unfortunately, our service does not allow for sending notices of new planned topics or content. We do have the capability of adding pages to our set of subscriptions, and are willing to accept requests to do so.

7. **Question:** Does USCIS plan to translate the new 100 questions and other naturalization test materials into different languages?

**Response:** Yes.

- a. What materials will be translated and what languages will be available?

**Response:** The standard civics questions and answers (100 items) as well as the 65/20 civics questions and answers (20 items) will be available in Spanish, Chinese, Vietnamese, and Tagalog.

- b. How soon will the translations be available and how will these translations be distributed?

**Response:** The Spanish and Chinese translations will be available online at [www.uscis.gov](http://www.uscis.gov) by July 15, 2008. The Vietnamese and Tagalog translations will be available online at [www.uscis.gov](http://www.uscis.gov) by September 1, 2008.



- 8. Question:** We have a number of approved I-730s that were sent to the US Embassy in Islamabad. However, USCIS left the embassy in October 2007, and the Visa 92 cases have not been adjudicated. Applicants are required to go to a US embassy/consulate for these cases. What can be done to move these cases to a final decision?

**Response:** The USCIS International Operations Division is working together with the US Department of State to ship 100-150 pending I-730 applications from Islamabad to the USCIS New Delhi Field Office. Once the pending I-730 applications arrive at the USCIS New Delhi Field Office, they will be reviewed without delay to determine if they are interview ready (i.e. case materials are complete, and security checks have cleared). USCIS has established an agreement with the US Department of State where it will deploy a USCIS TDY Officer to Islamabad to process the existing backlog of I-730 applications (also referred to as Visa 92 / Visa 93 cases). USCIS will also deploy an Officer for one or two temporary duty assignments during FY2009 to address the I-730 workload.

- 9. Question:** As the one year anniversary of the new fee waiver guidance approaches, will USCIS give any consideration to expanding the list of forms eligible for a fee waiver? Specifically, we are interested in whether USCIS would consider including Form I-102 on the fee waiver eligible list of forms.

**Response:** We have no plans at this time to revisit our fee waiver policies with respect to the types of forms that are eligible for waivers. The USCIS forms eligible for a waiver of their fee are provided in regulations and any expansion of the list would require changing those regulations. We will revisit this issue during our next biannual fee review (covering fiscal years 2010 through 2011) and any subsequent rulemaking process. USCIS has started internal work in support of the next fee review and we would expect to seek stakeholder input sometime later in the process.

- 10. Question:** USCIS has centralized naturalization application processing at the National Benefits Center in Missouri. Is this a permanent change and if not, for how long will this be in effect?

**Response:** This is a permanent change. Until such time as the Lockbox facilities are operational, N-400 applications will continue to be receipted at the four service centers, but the movement of the N-400 applications to the National Benefits Center (NBC) will occur in an incremental fashion. Once received at the NBC, staff will continue to focus on file maintenance, security check completion, and various other processing steps that must occur prior to an applicant being scheduled for interview.

It is important to note that all military naturalization applicants filing under the provisions of Section 328 or 329, regardless of geographic location or jurisdiction, will continue to file and be processed at the Nebraska Service Center.

- a. Will the NBC now be responsible for adjudicating naturalization fee waiver requests, instead of the service centers?

**Response:** Fee waiver requests will continue to be processed at the service center that receives the actual N-400 application. This portion of the N-400 receipting process will not be changed at this time. However, fee waiver requests will eventually be processed at Lockbox facilities once they are operational.