

Notes from Meeting between ESIG and CIS, Washington, D.C.
10-29-03

The following are the major points that were raised during a meeting at the CIS headquarters in Washington, D.C. this past month between ESIG and CIS E-Filing initiative members. Attending the meeting was Tracy Renaud and Patricia Cogswell, CIS; Bob Meltzer, ESIG (vendors); and Angelo Paparelli - ESIG (Bar).

ESIG Overview

ESIG consists of lawyers and software vendors who are active and interested in electronic preparation, filing and case management of immigration petitions and applications. ESIG's vendors' software includes systems and online applications that are used by lawyers and corporations. These systems range from simple forms generation programs to complex law office management applications that include: tracking, communication and sophisticated reminder systems.

ESIG Proposal Overview

- 1) Establish an ongoing relationship with ESIG whereby communication will advance the interest of all parties;
- 2) ESIG proposes that CIS establish a standards committee for the development of a system whereby the CIS can accept electronic data directly from private service providers, and appoint ESIG to that committee;
- 3) ESIG proposes that it should be given a meaningful opportunity to voice its concerns and views to CIS in the development of the CIS system; and
- 4) ESIG proposes that a standard based on XML be the language used in the development by the CIS.

Primary reasons CIS and ESIG should work together

- 1) CIS will not gain widespread adoption of their E-Filing process if they are not going to allow what they refer to as "third party" data to be transferred directly into their system given that users would be required to enter data more than once, and if provided a choice would more likely print out and send paper than enter digital data twice;
- 2) ESIG vendor members have years of combined knowledge in addressing not only automation and technology issues arising out of the preparation of applications but experience with process and behavior; and
- 3) ESIG attorney members have substantial real-world experience in substantive and procedural aspects of immigration law from the perspective of the attorney and client communities.

Further, automation on the private side is a phenomenon that is here to stay because private vendors offer users functionality that the CIS would never be able to offer with a stand alone online process, i.e., preparation, tracking, ticklers, communication, reporting and collaboration.

CIS Response

Since DHS has authority, Tracy Renaud and Patricia Cogswell stated that they must measure their approach and avoid planning too far ahead and in too much of an advanced method because CIS IT initiatives are ultimately subordinate to the technology decisions and choices of DHS. However, Ms. Renaud and Ms. Cogswell expressed the view that it is likely beneficial that CIS cooperate and work with ESIG and that in the final analysis a linking up of the vendor systems to the CIS system would be helpful to the government and to all stakeholders.

History of INS (CIS) E-filing Development

Ms. Renaud explained the history of CIS' (and legacy INS') online forms-filing developments and how the GPO and OMB had been pressing the former INS, as the largest paper producer of all the US government agencies, to develop electronic processes. Ms. Cogswell explained the history of the ATLAS and STARS systems. The agency therefore made a determination that, rather than try to introduce a system that included all 200 public use forms, the INS would focus on a few forms that had the greatest impact -- in other words, 8-12 forms that would address almost 95% of all their processing, starting with the I-90 and I-765.

Ms. Renaud also explained that the CIS is still trying to develop ideas for resolving the issue of authenticating signatures and documents since they realize that the current system, requiring post-online visits to ASC's, would not work for corporations.

Leadership Change

They also shared the concern that since INS was abolished and CIS was formed within the DHS, the direction from the leadership levels has changed. Despite having received clearances from the DOJ to move ahead with an online forms-filing initiative, the development plan within the DHS must be coordinated among several agencies within DHS. Thus, DHS has cautioned that any technology initiatives would be subject to general DHS technology development planning. Until DHS makes development decisions, however, the CIS cannot proceed with a substantial part of its development (e.g., standards language will have to be decided on a larger basis by the DHS rather than by the CIS). Ms. Cogswell stated that USCIS priorities for the coming fiscal year will be the setting of an e-signature standard and the deployment of six new forms (I-120, 140, 907, 539, 131, 829)

Other points that were shared about the progress of their development included:

- They have been looking into PKI (Public Key Infrastructure) as a development for their e-signature solution (although this is not likely, as PKI costs \$25-\$50 per certificate)
- They have to work with their legal advisors throughout their development process who review the compliance relating to any development
- CIS wants their system to be as intuitive as possible where the client need not determine where to file an application but the system will make that determination based on certain information provided by the user such as the home address
- The system is not nearing the point, and they are not in a position, to receive documents electronically because CIS has not developed an electronic DMS (Document Management System); bandwidth is one of the agency's problems. On a positive note, however, CIS will be adding the ability to make a payment by credit card
- CIS recognizes that if users are required to reenter data, this would be a problem adversely affecting widespread adoption
- CIS has not made significant forward movement in dealing with "3rd Party vendors" and the completion of the next 6 forms as the agency had hoped and expected
- CIS application development must take into account certain restrictions based on their legacy systems. For example, CLAIMS is in DOS.
- Security is a development priority
- Although CIS will be developing a standards committee, the formation of the committee is not something that is immediate
- Although the chances are that XML will be the standard, CIS provides absolutely no guarantee that the DHS will ultimately allow that standard
- It is not CIS' intention to be unique, in terms of development, when the agency may avail itself of proven applications and solutions available elsewhere. CIS will look for commercial off-the-shelf systems whenever available

Next Steps

- 1) Set up a regular meeting of CIS/ESIG representatives every few months to stay informed of development (we agreed to schedule the next meeting for early January).
- 2) ESIG would share "lessons learned" regarding the development of our systems.
- 3) ESIG would let CIS know when we plan to be present at bar functions in any location so that they have the opportunity to join us in an informal meeting.
- 4) ESIG and CIS will each monitor development in the OMB and DHS.
- 5) When the CIS forms any group of persons or entities outside the CIS for the purpose of e-filing development, ESIG will be included in that group.

Bob Meltzer

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