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U.S. DEPARTMENT OF JUSTICE RELEASES AUDIT REPORT AFTER REVIEW OF THE FBI'S NATIONAL NAME CHECK PROGRAM (NNCP) AND INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (IAFIS);

NNCP and IAFIS Are Utilized in Connection with Applications to Adjust Status ("Green Card" Applications) and Applications for Naturalization (U.S. Citizenship)

Earlier this month, the U.S. Department of Justice (DOJ) Office of Inspector General released an [Audit Report](#) on the FBI's National Name Check Program (NNCP) and Integrated Automated Fingerprint Identification System (IAFIS). The NNCP and IAFIS are utilized to perform routine background checks in connection with Applications for Adjustment of Status ("Green Card" Applications), Applications for Naturalization (U.S. citizenship) and other applications filed with U.S. Citizenship & Immigration Services (CIS). The U.S. CIS is the FBI's largest "customer," accounting for more than half of the FBI's name check queries.

The OIG Audit Report indicates that IAFIS appears to operate both efficiently and effectively through the use of current technology and reliable fingerprint matching software. IAFIS contains the most comprehensive biometric database in the world, with fingerprints on more than 50 million people with criminal histories. According to the Audit Report, queries of the system are completed within a matter of hours, and the results are generally accurate and reliable.

Unlike IAFIS, according to the Audit Report, the NNCP system for name checks relies on outdated technology, insufficiently trained personnel, insufficient user-fee funding, ineffective tracking mechanisms, and widely-dispersed hard files located in FBI field offices around the world. FBI personnel must coordinate data collection and assembly from multiple locations and must review hard copies of documentation before clearances can be confirmed or reports can be generated for the customer. Because of these outmoded system components, the NNCP predictably operates with great inefficiency, and according to the Audit Report, produces potentially inaccurate and unreliable results.

Because the U.S. CIS is the FBI's highest-volume customer, the volume of CIS filings produces delays in NNCP clearances, which in turn worsens delays in final CIS adjudications. As a result, as of March 2008, the FBI NNCP backlog included more than 110,000 name check queries that had been pending for more than one year in connection with CIS applications. The vast majority of this backlog, roughly 96,000, relate to permanent residency and citizenship applications.

While the FBI and CIS have jointly begun to implement a system for elimination of the NNCP backlog and the resulting CIS adjudications backlog, many applications remain pending years after initial filing. Applicants with current priority dates and Applications to

Adjust Status pending for more than 6 months beyond the [posted CIS adjudication time frames](#) are encouraged to consider initiation of a formal Liaison Inquiry in connection with the pending application. In many cases, when an applicant's priority date is current and the application is long overdue, the formal inquiry system can be an effective means of calling the application to the attention of adjudicators who can follow up directly with the FBI.

To initiate a formal inquiry into a long-pending application that is beyond the posted adjudication time frames, please contact your Tindall & Foster immigration attorney. Your Tindall & Foster attorney will be able to review the applicant's file to determine whether the application fits within established guidelines for use of the formal inquiry system, and can prepare and file the applicant's inquiry.