Rules Eased to Expedite Green Card Applications

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Searching for ways to reduce a huge backlog of visa applications, immigration authorities have eased requirements for background checks by the F.B.I. of immigrants seeking to become permanent United States residents, federal officials said Monday.

If an immigrant's application for a residence visa has been in the system for more than six months and the only missing piece is a name check by the F.B.I., immigration officers will now be allowed to approve the application, according to a memorandum posted Monday on the Web site of the federal Citizenship and Immigration Services agency.

The memorandum states that "in the unlikely event" that the F.B.I. name check turns up negative information about an immigrant after a residence visa has been granted, the authorities can cancel the visa and begin deportation proceedings.

The document was written by Michael Aytes, the agency's associate director for domestic operations.

Under the new policy, which was first reported by the McClatchy news service, immigrants applying for the permanent visas, which are known as green cards, will still be required to complete two other security checks: an F.B.I. criminal fingerprint check and a search in a federal criminal and anti-terrorist database known as Interagency Border Inspection Services.

The F.B.I. will eventually complete name checks for all green card applicants, officials said. Immigrants seeking to become citizens will still have to wait until the name check is completed.

"Only after we received assurances that this would not compromise national security or the integrity of the immigration system did we go forward," said Christopher S. Bentley, a spokesman for Citizenship and Immigration Services. "This will allow us to give benefits to people who deserve them in a much quicker time frame."

The policy is intended to speed processing for tens of thousands of immigrants with no criminal records who are living in the United States and have been waiting for years for green cards because their names turned up matches in the F.B.I's records. Often an immigrant's name hits a match, immigration lawyers said, because the F.B.I. files include a vast range of names, including those of people mentioned in criminal investigations,

even if they had no role in a crime. F.B.I. agents must investigate each name match by manual searches of voluminous records.

The previous policy "was just stalling adjustment of status for hundreds of thousands of people who posed no security threat, without any demonstrable improvement to our national security," said Bo Cooper, an immigration lawyer who was formerly general counsel for the immigration service.

Currently the agency processes about 1.5 million applications requiring name checks each year, Mr. Bentley said, and 99 percent are cleared by the F.B.I. in less than six months. But about 140,000 applications have been hung up in the system for more than six months because of the name checks, he said, including applications both for green cards and citizenship.

Some critics said the agency would be cutting security corners and bending federal law.

"They are knowingly granting a benefit to a person who may be a national security threat or a serious criminal," said Rosemary Jenks, director of government relations for NumbersUSA, an organization that favors reduced immigration.

"These are people who are asking permission to stay in this country permanently," Mrs. Jenks said, "and we have a right to make sure we know who they are. If it takes a few extra months, so be it."

But Representative Zoe Lofgren, Democrat of California and chairwoman of the House immigration subcommittee, said the number of immigrants who had ever been rejected solely as a result of an F.B.I. name check was "microscopic."