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THE FEDERAL BUREAU OF INVESTIGATION'S SECURITY CHECK PROCEDURES FOR IMMIGRATION APPLICATIONS AND PETITIONS

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EXECUTIVE SUMMARY

Through its National Name Check Program (NNCP) and Integrated Automated Fingerprint Identification System (IAFIS), the Federal Bureau of Investigation (FBI) provides federal agencies, state and local law enforcement agencies, and approved non-governmental institutions criminal history and identification services from its repositories of investigative records. The National Name Check Program, which is managed by the FBI's Records Management Division, is a name-based identification program that searches the FBI's Universal Index for individuals referenced in an estimated 100 million FBI case files. The files, maintained in the Automated Case Support (ACS) system, the FBI's Alexandria, Virginia, Records Complex, or one of the FBI's 265 worldwide field locations, document people who are the subjects of an FBI investigation (main file) or are associated with the subject of an investigation (reference file).¹

IAFIS, managed by the FBI's Criminal Justice Information Services Division, is an integrated search system that queries the FBI's fingerprint repository.² According to the FBI, IAFIS maintains the largest biometric database in the world, containing the fingerprints and corresponding criminal history information for more than 50 million subjects.

* The full version of this report includes information that the FBI considered to be law enforcement sensitive, and therefore could not be publicly released. To create this public version of the report, the OIG: (1) redacted the portions of the full report that the FBI considered sensitive, and (2) indicated where those redactions were made.

¹ A reference file may refer to subjects who were interviewed during an FBI investigation.

² IAFIS is composed of several systems: Automated Fingerprint Identification System (AFIS), Interstate Identification Index (III), Electronic Fingerprint Converter (EFCON), Identification Tasking and Networking (ITN), and the IAFIS Data Warehouse (IDWH). Each segment provides discrete capabilities and works in conjunction with the other segments to support FBI service providers. AFIS is a fingerprint comparison system.

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The FBI's largest name check and fingerprint identification customer is the U.S. Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS). The USCIS is responsible for administering immigration and naturalization functions, and requests name check and fingerprint identification services to screen applicants prior to granting a variety of immigration benefits, including asylum, naturalization, and permanent residency. According to the USCIS, it relies upon information derived from these FBI security checks, along with questions concerning the applicant's background, English language proficiency, and civics testing to adjudicate immigration applications and petitions. The DHS and the FBI have encountered significant criticism over the past few years that delays in the FBI's name check procedures impede the USCIS from adjudicating immigration and naturalization applications and petitions in a timely manner.

The Office of the Inspector General (OIG) initiated this audit to assess the accuracy and timeliness of the FBI's name checks and fingerprint identifications used by the USCIS to adjudicate immigration and naturalization benefits.

Background

The federal government's response to the terrorist attacks of September 11, 2001, has resulted in an increased use of the NNCP's services from 2.7 million name checks in Fiscal Year (FY) 2001 to more than 4 million in FY 2007.

Prior to FY 2003, the NNCP searched only the FBI's main files, but since that time it has searched name check requests against both FBI main and reference files. This change was designed to detect derogatory information about individuals who may not have been identified as the direct subject of an FBI investigation, but who are connected to subjects with criminal and investigative histories.

FBI personnel do not assess a name check subject's eligibility for benefits, but rather identify and disseminate information in its possession about a subject for each customer agency's review. For USCIS name check subjects, pertinent and derogatory information means that the name check subject is a potential threat to national security, public safety, or may be ineligible for an immigration benefit. National security concerns include information regarding the subject's involvement in terrorist activity, espionage, sabotage, foreign counterintelligence, or the illegal export of technology or sensitive information. Public safety concerns include information regarding the subject's criminal history or criminal activity.

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Public safety can also include information relating to the subject's health, such as a contagious disease, mental disorder, or drug abuse. In addition, a subject may be ineligible for an immigration benefit due to a variety of immigration violations such as presenting a fraudulent document, unlawful entry into the United States, or unlawful residence or employment in the United States.

Like name checks, the volume of fingerprint identification requests has surged since September 11, increasing from approximately 15 million requests in FY 2001 to more than 26 million requests in FY 2007. Prior to July 1999 when IAFIS was implemented, the FBI manually compared submitted fingerprints to fingerprint cards on file, a process that could take up to 3 months to complete. Through IAFIS, however, the process for interpreting and comparing fingerprint data is mostly automated. Therefore, only a small portion of the fingerprint identification process requires human intervention to verify a subject's fingerprints to fingerprints in the FBI repository.

Both the FBI's name check and fingerprint identification services are reimbursable programs that charge fees for searching the FBI's databases and records for non-criminal justice, non-law enforcement, and licensing purposes. Regardless of the current level of automation in the two program areas, however, name checks and fingerprint identifications require continued technological advancement, well-trained FBI personnel, and cooperation between different FBI components as well as customer agencies to increase the reliability and timeliness of identification results.

Office of the Inspector General Audit Approach

The primary objective of the OIG's audit was to assess the accuracy and timeliness of the FBI's name checks and fingerprint identifications that are requested for the USCIS's adjudication of immigration and naturalization benefits.

As part of our audit, we reviewed the FBI's process, response times, individual fee structure, staffing, production monitoring, and communication with customers for both name and fingerprint identification checks. We conducted field work and interviewed officials working in pertinent operational units at FBI headquarters; Records Management Division (RMD) offices in Washington, D.C., and Alexandria and Winchester, Virginia; and Criminal Justice Information Services Division (CJIS) in Clarksburg, West Virginia. In addition, we interviewed representatives from three large security check customers – the USCIS, the U.S. Office of Personnel Management (OPM), and the U.S. Department of State (DOS) – to obtain

their assessments of the services provided by the FBI and any concerns they had with the FBI process.

We reviewed historical FBI performance data, internal and external assessments, and documentation for planned changes to the fingerprint and name check programs. Our interviews with FBI personnel related to the operation and management of FBI fingerprint and name check technologies, interaction among FBI field divisions and customer agencies, name searching and matching technologies, workflow processes, document scanning and analysis, staffing and training, and other pertinent topics. Several interviews focused on the quality of training provided to FBI personnel conducting security checks, and current and future plans to integrate new technology into business processes. In addition, we interviewed personnel from the Terrorist Screening Center (TSC), DOS, and a consultant from the MITRE Corporation to gain an understanding of available name searching tools.³

We also compiled performance trends describing the national origins of USCIS immigration applicants who are the subjects of name checks and the calculation of response times for IAFIS. Further, we evaluated the CJIS Division's process for approving changes within IAFIS that can help determine how many fingerprint submissions are processed without any human intervention. Appendix I contains further description of our audit objective, scope, and methodology.

Results in Brief

Our audit found that, faced with the increasing volume of name check requests, the FBI's name check processes are inefficient and untimely, rely on outdated technology, and provide little assurance that pertinent and derogatory information is being retrieved and transmitted to customer agencies. In contrast to our findings on the NNCP and its name check procedures, we found that enhanced technology combined with well trained personnel, efficient tracking mechanisms, and proficient customer interaction have enabled the FBI to process millions of fingerprint submissions through IAFIS in a generally accurate and timely manner.

³ The MITRE Corporation is a not-for-profit organization that focuses on systems engineering, information technology, operational concepts, and enterprise modernization to address sponsors' critical needs. MITRE has partnered with the TSC and a federal working group to develop and test more efficient name searching capabilities.

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In FY 2007, the NNCP received more than 4 million name check requests, including over 2 million from USCIS. The NNCP processes about 86 percent of name check requests within 60 days. However, for the remaining 14 percent, name check requests can take anywhere from several months to over a year.

We found that as of March 2008 the FBI had over 327,000 pending USCIS name check requests, with 90 percent over 30 days old and some requests pending for over 3 years. According to the FBI, the backlog partly resulted from the USCIS resubmitting 2.7 million name check requests in FY 2003 to obtain more extensive information. NNCP officials also said that its manual processes of having to locate and retrieve paper files in FBI field locations worldwide, coupled with inadequate funds to improve the name check program, have contributed to the backlog. As a result, these backlogged name checks hamper timely USCIS adjudication of immigration applications, thereby impeding applicants' access to U.S. citizenship benefits, and potentially delaying the deportation of national security threats residing in the United States.

While we confirmed that the NNCP's processing delays were a result of the resubmitted name check requests in FY 2003, our audit also found that the NNCP's procedures rely on outdated and inefficient technology, staff and contractors who have limited supervision and training, inadequate quality control measures, and inconsistent use of production metrics for name check analysts. In addition, NNCP's processes provide little assurance that necessary information is being retrieved and transmitted to customer agencies.

FBI officials conducted assessments of the NNCP in FYs 2002, 2007, and 2008 and recognize the need to improve the NNCP, including further automating the name check process. Yet, while the FBI has explored advanced search tools that will be used by the NNCP, it has not implemented substantial corrective actions related to the automation of the name check process. In addition, the FBI did not conduct a technical assessment of perhaps the most important factor in the NNCP's ability to timely and accurately perform name checks: the phonetic name matching algorithm. This algorithm is used to match submitted names to the FBI's index of names in its investigative files. Our audit found that the algorithm is largely outdated and potentially ineffective, increasing the risk that submitted names are not accurately searched and matched against FBI files.

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Instead of overhauling NNCP operations with new search mechanisms and processes, one RMD official stated that “small band-aids” were applied to the antiquated name check workflow process to meet the increased name check demand. For example, the NNCP has supplemented existing processes by significantly increasing the number of personnel performing manual name checks. Since November 2007, the NNCP experienced a 30-percent increase in staffing through March 2008. The NNCP projects that 195 FBI personnel and 402 contractors will be employed by the end of FY 2008, an increase of more than 300 personnel since November 2007. In addition, while the FBI argued the NNCP has been under funded we noted that the FBI had not raised its name check fees in 17 years, a decision that has resulted in a program that lacks modern automation, accurate workflow tracking mechanisms, and until recently was understaffed.

In contrast to the name check process, we found that the FBI’s fingerprint identification process is largely automated, allowing the FBI to generally process requests accurately and timely. IAFIS’s sophisticated technology, combined with trained personnel, efficient tracking mechanisms, and proficient communication methods have enabled the FBI to efficiently process millions of fingerprint submissions per year. For example, the USCIS requested 3.2 million fingerprint identifications in FY 2007, most of which were processed by CJIS within 24 hours. However, similar to the NNCP, our audit found that the FBI had not assessed its reimbursable fee structure for fingerprint identifications since FY 1994. The additional amount collected for automation efforts will be essential to ensuring that the FBI’s identification services remain reliable and accurate while continuing to improve speed and add additional types of biometrics.

In our report, we made 21 recommendations to assist the FBI in ensuring the timely and accurate completion of name and fingerprint checks. Our recommendations for the NNCP include exploring other phonetic search tools to update, replace, or work in conjunction with the NNCP’s outdated name matching algorithm; working with the FBI’s Information and Technology Branch to ensure that interim and long-term technology efforts modernize the FBI’s name matching capability; developing and implementing a formal training curriculum for name check analysts that includes a recurring or annual training requirement; developing quality assurance measures for each step of the name check process; developing a cohesive business plan that establishes a long-term framework for the improvement of the NNCP’s operations, which includes automation; and conducting a comprehensive reevaluation of the NNCP’s fee structure every 2 years. We also recommended that the FBI review its fingerprint identification fees biennially to ensure that all of its costs are being

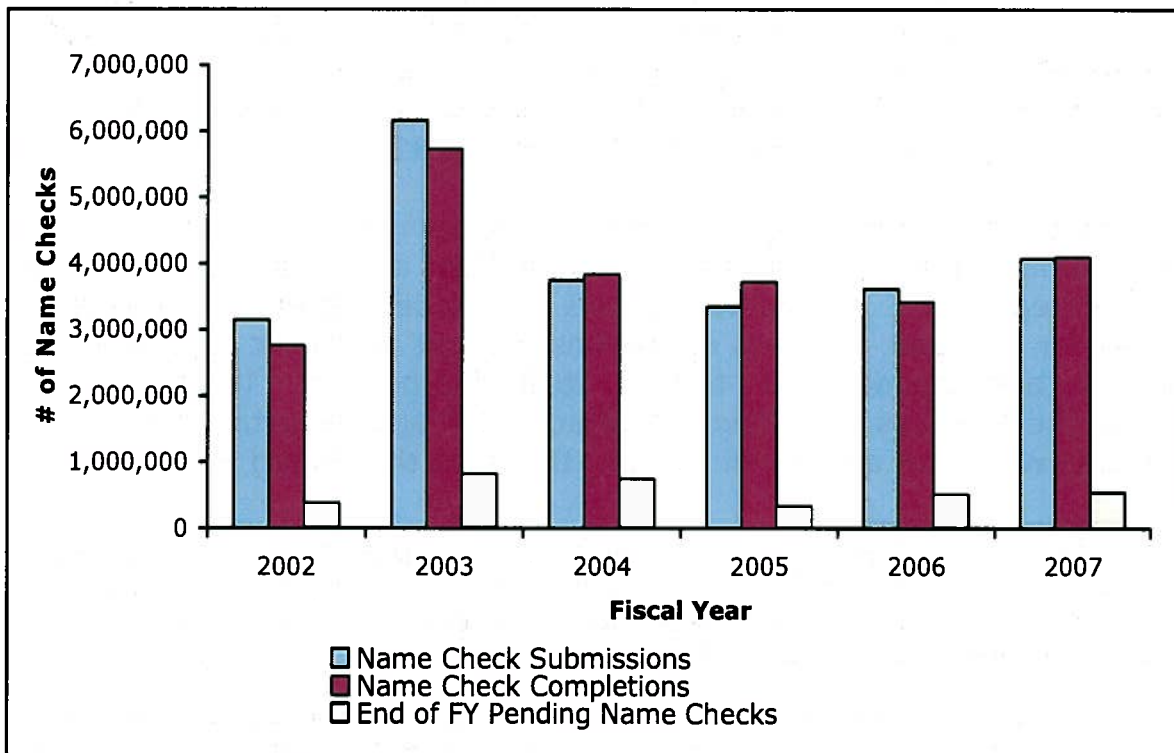
sufficiently reimbursed, and that CJIS develop a formal policy for justifying and approving changes to the Automated Fingerprint Identification System (AFIS).

The remaining sections of this Executive Summary describe our audit findings in more detail. Our full report contains detailed information on the results of our review.

Name Check Timeliness and Quality

As shown in the table below, the NNCP received over 4 million name check requests in FY 2007 from federal agencies, the law enforcement community, and authorized non-criminal justice agencies. Of the 4 million name check requests received in FY 2007, 2.2 million were from USCIS. As displayed in the table, the FBI reduced the backlog of name check requests by completing more name checks than it received in FYs 2004, 2005, and 2007.

Total Volume of Submitted, Completed, and Pending Name Checks FYs 2002 – 2007



Source: FBI NNCP

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Our audit found that the NNCP processes about 86 percent of name check requests within 60 days. However, for the remaining 14 percent, name check requests can take anywhere from a couple months to over a year. As depicted in the table below, as of March 2008 the FBI had over 327,000 pending USCIS name check requests, with 90 percent over 30 days old and some requests pending for over 3 years.

**Pending USCIS Name Check Submissions
(as of March 2008)⁴**

USCIS Submissions	0 – 30 Days	31 – 60 Days	61 – 120 Days	121 Days – One Year	> One Year
Asylum	2,199	1,286	861	2,150	5,613
Catch-All	703	797	1,090	3,705	7,390
Executive Office for Immigration Review	1,281	739	858	1,481	2,631
Naturalization	9,323	7,027	23,898	36,629	50,794
Adjustment of Status	11,232	7,303	8,182	95,342	45,260
Total	24,738	17,152	34,889	139,307	111,688

Source: FBI NNCP

A letterhead memorandum (LHM) is part of a dissemination package issued to a customer when the name check subject's case file contains pertinent and derogatory information.⁵ In FY 2007, the FBI released 1,413 LHMs to USCIS. This means that for less than 1 percent of all USCIS name check submissions in that year, pertinent and derogatory information was found in FBI systems and transmitted to the USCIS.⁶

Name check delays and backlogs can affect immigration and naturalization applicants who seek to adjust their status and become citizens of the United States. In addition, delays can hinder the entry of foreign workers for domestic business operations, disrupt academic study-abroad programs, and impede access to U.S. citizenship benefits. In addition, security check delays may slow the adjudication and deportation of applicants who pose a national security threat to the United States.

⁴ The volume of pending USCIS name check submissions fluctuates. In October 2006, the USCIS pending volume totaled nearly 365,000 name checks. The USCIS volume exceeded 402,000 submissions as of September 2007, before dropping to the March 2008 volume of approximately 327,000 submissions.

⁵ Dissemination packages may communicate pertinent or derogatory information via a LHM, investigative report, or a third-party referral. The LHM is a term used by the FBI to describe a name check analyst's summary of the FBI's case file data.

⁶ Due to delays in name check processing, some of the 1,413 LHMs could be related to submissions from previous years.

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As a result of concerns about name check delays, to expedite the name check process the FBI and the USCIS entered into an agreement in 2007 to filter out certain FBI case files in an effort to decrease the volume of files reviewed for USCIS name checks. The filtering mechanism has two components. The first filter, termed Mega Filter, eliminates three file categories from the name check process for all pending and future USCIS name checks. The second filter, termed Super Filter, identifies or flags thousands of FBI files that the USCIS and NNCP agreed to eliminate from USCIS name searches. The flags indicate that name check analysts should disregard such files. However, according to name check supervisors and analysts we interviewed, these files may contain pertinent and derogatory information, or lead to other files with information that the USCIS would consider pertinent and derogatory.

Further, in an effort to reduce the backlog of immigration applications and petitions, in February 2008 the USCIS decided that it would begin approving otherwise completed U.S. permanent residency (green card) applications that had been pending for at least 180 days even if the FBI had not completed its name check review. If derogatory information on the green card recipient is later revealed by the FBI's name check process subsequent to granting a green card, the USCIS said it will seek to deport the recipient. Furthermore, the USCIS stated that the change will not apply to naturalization applicants due to the difficulty in revoking citizenship as compared to the process for rescinding permanent residency.

In March and April 2008, the NNCP finalized customer-level operations plans with USCIS and OPM, respectively. The USCIS plan for reducing the backlog of its name checks calls for placing the oldest pending name checks as the highest priority. Specifically, the NNCP segmented the USCIS name check backlog into timeframes and instructed analysts to begin focusing on the oldest pending name checks first. According to the NNCP, the segmentation of work queues reduced the backlog of name checks older than 4 years from 12,000 to 3,000 between the inception of this initiative in November 2007 and March 2008. The NNCP and USCIS hope to have addressed all name checks pending more than 2 years by July 2008, and those pending more than 1 year by November 2008. Likewise, the OPM operations plan discusses eliminating all OPM name checks pending for over 40 days by April 2009. Both plans rely on using the NNCP's current processes and state that the FBI is issuing a statement of work designed to obtain the services of a contractor to reengineer the name check process with contemporary technology and business practices.

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The FBI attributed its name check backlog in part to the resubmission of 2.7 million USCIS name checks in 2003, which almost equaled a full year's volume of name checks from all customers. In addition, NNCP officials stated that the manual processes of locating and retrieving files worldwide, coupled with inadequate funds to improve the program, have contributed to the backlog.

As discussed below, our audit determined that the NNCP's organizational inefficiencies, such as outdated and inefficient technology and relying on staff that have limited training and supervision, contributed to the backlog and hindered backlog reduction efforts.

The FBI acknowledged the NNCP's processes are inefficient and do not reflect a state-of-the-art system. A February 2002 Business Process and Staffing Study of name check operations, produced by Advanced Computing Technologies for the FBI, observed that the NNCP experienced processing delays during the study period of September 2000 and July 2001, and that the September 11 terrorist attacks had significantly increased the NNCP's workload.⁷ The study concluded that the number of NNCP staff on board was not sufficient to handle the name check information needed in the aftermath of the terrorist attacks. In addition to the FY 2002 study, the FBI conducted assessments of the NNCP in FYs 2007 and 2008.⁸ Each of these assessments identified the need to further automate the name check process. However, the FBI has not implemented substantial corrective actions related to the automation of the name check process. One RMD official described the current approach of improving the NNCP as applying "small band-aids" to the legacy name check process in an attempt to adjust to increased name check demand.

Integrating Technology into the Name Check Process

Despite the trio of assessments of the NNCP, the FBI did not conduct a technical assessment of perhaps the most important piece of the NNCP's ability to timely and accurately perform name checks: the phonetic name matching tools. This algorithm is used in the name check process to match submitted names to the FBI's Universal Index of names residing in its investigative files (UNI). Our audit found that the algorithm is largely

⁷ This study was commissioned by CJIS prior to the transfer of name check operations to RMD.

⁸ See Appendix IV for additional assessment and study details including scope and pertinent recommendations.

outdated and potentially ineffective, increasing the risk that submitted names are not accurately searched and matched against the FBI's database.

In addition, our audit found that the FBI has not performed any quality assurance reviews on its name matching search tools. In the 11 years since UNI was created, we found that only one comparison to another name searching tool had been completed. We reviewed this comparison, completed in 2005 by the FBI's Information Technology Operations Division (ITOD), and determined that it compared the systems based solely on system capabilities, not on accuracy or other performance metrics.⁹ While the FBI has reviewed other phonetic search tools for use in operational case management, no additional reviews or comparisons have been performed related to NNCP. Given that no testing has been performed on the FBI's phonetic algorithm to determine its effectiveness, accuracy, and reliability, especially when matched against foreign names, we concluded that the FBI cannot be certain that its phonetic name matching tool used by NNCP accurately returns potential name matches.

In addition to upgrading its name matching tools, the FBI also needs to ensure that its development of new search tools serves the needs of the NNCP. The FBI's Information and Technology Branch (ITB) stated that it is developing a joint search engine to access data stored electronically throughout the FBI's repositories, including the UNI case file information searched by the NNCP. This new effort utilizes the FBI's Information Portal (IP), an enterprise class platform currently under development that may be capable of integration into the FBI's new investigative case management system – Sentinel. As a major component of the FBI's information technology (IT) modernization project, Sentinel will replace the FBI's legacy Automated Case Support (ACS) system. The NNCP currently uses ACS to report all pertinent and derogatory information known to the FBI about a search subject. In addition, the Name Check Program (NCP) mainframe application is utilized by name check analysts to acquire name check subjects, search FBI databases, and close completed name checks residing

⁹ The review examined whether the software provided six criterion, none of which reviewed the software for accuracy. Not all of the six criteria are current FBI capabilities: (1) would search results include name variations; (2) is the search capable of supplying a phonetic search component; (3) does the search provide foreign name translation into English; (4) does the search rank results based on accuracy; (5) is it capable of searching names regardless of the order of name parts entered; and (6) are searches for organization names processed identically to searches for individuals.

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in ACS.¹⁰ The FBI anticipates piloting the IP by the end of calendar year 2008 with the objective of bringing a new federated search capability to the FBI. We believe that, with this new technology, the FBI should ensure that the new search capabilities enhance the accuracy of NNCP's current name matching tool. To achieve success, close and continuing interaction between the ITB and NNCP is necessary to successfully modernize the FBI's name matching capability.

Due to the backlog of unprocessed name checks, the NNCP has been exploring automated solutions to speed up the ability of analysts to review and process name check requests. In FY 2004, the NNCP implemented a standalone database known as the Name Check Dissemination Database (NCDD). The NCDD allows name check analysts to store and track all documents compiled during the name check process so analysts do not have to recreate a name check if the name is resubmitted. In addition, the NCDD provides access to scanned FBI files that analysts identified as relating to a name check subject. These are functions that the NCP mainframe application cannot perform. However, this database creates a duplicative step in the name check process, and its use among name check analysts is inconsistent.

The NNCP also purchased two textual analysis software packages for over \$270,000.¹¹ The software purportedly will analyze text in FBI files and extract any pertinent information, assisting analysts with gathering pertinent information on a name check subject from the FBI's voluminous hardcopy and electronic case files. The NNCP characterized the purchase of the software as an effort to educate itself about the product. However, it took nearly a year for the NNCP to learn that the software is not compatible with its current applications. NNCP managers stated that the software package was provided to the ITB for evaluation to determine if it will be compatible with a new, more efficient name check workflow process.

¹⁰ The FBI NCP mainframe application is the official application of record for the NNCP, and a component of the FBI's ACS system. All incoming and closeout name checks must be processed through NCP for an official count.

¹¹ The \$270,000 included over \$91,000 in consultation and configuration services associated with the set-up, installation, and testing of the software packages.

Dependence on Human Resources

In an effort to address the backlog of USCIS name checks, the NNCP has supplemented existing processes by significantly increasing the number of personnel performing manual name checks. As of March 2008, the NNCP had 371 employees working on name checks, almost a 30 percent increase since November 2007.¹² By the end of FY 2008, NNCP officials project that staffing will rise to 195 FBI personnel and 402 contractors, an increase of more than 300 employees for the fiscal year. With the large influx of new personnel, we are concerned that limited training, supervision, and quality control measures for these new employees may result in a high potential for name-matching errors.

Although the NNCP updated its training program in early FY 2008, we found instances of confusion and uncertainty in the day-to-day processing of name checks among newly hired as well as experienced name check analysts. For example, despite e-mail correspondence detailing the filtering initiative several analysts involved in different name check phases were unaware of the Super Filter, which required name check analysts to disregard certain files. Some analysts stated that they “wasted time” reviewing several case files that were identified by the filter because they were not told by management to disregard such files. Other analysts and supervisors stated that they were confused by the initiative and continued to search the filtered files due to the presence of pertinent and derogatory information within the files. Moreover, personnel performing dissemination functions explained that they were not provided clear instructions by management about what data the USCIS considered pertinent and derogatory. With sufficient training and follow-up from NNCP management to ensure effective implementation, name check analysts could have better understood why the filter was in place and not consumed additional time reviewing and providing non-pertinent information to the USCIS.

In addition, when the NNCP hired a large number of new personnel, it did not proportionally increase the number of supervisors to manage these new employees and review analysts’ work. According to the NNCP, the time required to train an analyst to full production level is about 4 months. Therefore, new analysts and contractors require experienced FBI staff to train, evaluate, guide, and provide technical supervision and approvals. NNCP personnel and contractors, including supervisors, are divided between facilities in Winchester, Virginia, and Washington, D.C. Supervisors not

¹² The RMD also utilizes 38 employees from Information Technology Centers (ITC) in Butte, Montana, and Savannah, Georgia, to assist in name search and dissemination activities.

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located at the Winchester facility make weekly site visits to review contractor's work and attend meetings. We were informed by the personnel reporting to supervisors not located at the Winchester facility that it is difficult to properly complete name checks without immediate review and feedback. Even though they are instructed to ask their supervisors for assistance, some analysts said that these supervisors were not readily available to answer questions and provide feedback, or instruction because of their limited time on-site. NNCP supervisors also stated that they are overwhelmed by the number of name checks that they must review in an environment of continuous procedural questions. One supervisor told us that she only had time to correct analysts' mistakes, and was not able to go back and show the analyst what was wrong.

Quality assurance measures serve as the final check to ensure accuracy before a name check result is sent to a customer agency. Especially in the absence of an effective training program and an adequate supervisor-to-analyst ratio, quality control measures are essential to the name check process. However, we found that the NNCP has not provided formal guidance or procedures to supervisors to govern quality assurance for any step of the name check process. In addition, NNCP management does not maintain a quality assurance committee or otherwise oversee the quality assurance process. Although operational supervisors perform quality assurance reviews of work performed by new analysts, no consistent or regular quality review occurs once an employee exhibits proficient work. The absence of a formalized quality assurance program raises concerns because a high potential exists for pertinent and derogatory information related to a name check subject to be overlooked by both name check analysts and supervisors.

RMD management conducts reviews of all LHMs sent to customer agencies, but also emphasized that given the volume of name checks, it would be impossible to perform 100 percent quality assurance reviews on all other name check work.

At our audit close-out meetings, FBI managers stated that short-term training, supervision, and quality assurance issues were experienced due to the NNCP's rapid expansion. NNCP officials stated that new employees and contractors receive classroom, on-the-job, and supplemental training to correct common performance problems. In addition, while NNCP managers agreed that supervisors have excessive workloads, NNCP management stated that it has now relieved the supervisor's workload by appointing "lead contractors" to help complete initial reviews and perform the simplest non-governmental tasks. Further, we were informed that a new organizational

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structure for the NNCP is in the final stages of approval. According to NNCP management, the reorganization will reduce the span of control to acceptable supervisor-to-staff ratios and include a new Training and Quality Assurance unit.

Name Check Monitoring and Program Improvements

Due in part to limited automation, NNCP management was unable to appropriately measure and monitor name check workflow. The lack of an effective measurement and tracking system delayed name check processing and hindered the NNCP's interaction with customer agencies and FBI field divisions. Valid and reliable production statistics are necessary for the NNCP to adjust staffing levels in response to incoming name check volume, corroborate incoming submissions with customer agency submissions, and keep FBI contributing divisions informed on requirements, policies, and deadlines.

FBI officials stated that their long-term objective is to implement a largely automated name check process. However, we found that the FBI did not raise its name check user fees for 17 years - between FYs 1991 and 2007 - resulting in lost opportunities to enhance its antiquated automated systems and the NNCP's staffing levels.

In addition, we found that the NNCP is working without a well-defined business plan to consolidate its automation, workflow, staffing, fee structure, communications, and program improvements. A well-defined business plan would assist NNCP managers in prioritizing and addressing the significant issues hampering this program's operations and help ensure the success of ongoing initiatives. We believe that the NNCP's operations would benefit from developing such a long-term business plan to improve workflow monitoring, reduce the communication breakdowns between the NNCP and its customer agencies, ensure proper cost recovery through name check fees, and guide long-term operational improvements, which we describe below.

Workflow Monitoring

Ensuring timely name check production requires the measuring and monitoring of the FBI's name check workflow. We requested several measurements associated with name check production and in many cases NNCP management could not provide specific requested reports on the incoming work, including the number of high-priority (expedites) versus routine requests, and requests for case file reviews from FBI field divisions.

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According to a mission needs statement dated December 2005, an internal assessment completed in June 2007, and an external assessment completed in December 2007, NNCP tracking and reporting are constantly suspect as to their reliability, and the NNCP systems do not offer proper management controls or reporting options on efficiency and effectiveness due in part to multiple standalone systems and databases that are not always synchronized. In addition, for the information that was provided, we compared various data sources from the FBI to determine reliability and found inconsistencies that led us to question the accuracy and validity of production data being used for current production statistics.

Name check requests are received from customer agencies in various formats, including an automated secure network portal, magnetic tape, or by e-mail, facsimile, letter, or telephone. While a majority of USCIS requests are routine and submitted via magnetic tape, if USCIS wants the name check expedited it generally sends a facsimile to a specific individual at the NNCP who determines if the name check is already in the NCP mainframe application and requires reprioritization.¹³ USCIS will request expedited name checks for various reasons including medical emergency, military deployment, or loss of Social Security Benefits. Prior to June 2007, the analyst receiving expedited name check submissions did not track reprioritized customer submissions because it was not required by NNCP management. Concerned that expedited USCIS name checks were not being received by the NNCP, in June 2007 the USCIS began requesting a periodic listing of its USCIS expedite submissions received by the NNCP. In an attempt to verify the accounting for expedite submissions, we compared the submission volume from June to September 2007 and determined that the NNCP analyst calculated more expedited USCIS name check submissions – 1,495 for 4 months – than the 374 manual submissions identified in the NCP mainframe application for the entire fiscal year. This revealed that even the NCP, despite being the software application of record for the NNCP, does not fully capture production data.

¹³ If a name is submitted as an expedite by the customer during the Batch Run phase, the NCP mainframe application can track and report its status to NNCP personnel. If a customer requests that a name check be expedited subsequent to its initial submission, the name check must be manually reprioritized in the name check queue. However, the NCP application does not recognize the reprioritized name check as an expedited name check request.

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During our audit, NNCP management recognized deficiencies in its program monitoring and was developing a customized production model to consolidate several measurements captured by the NCP mainframe application to aid in monitoring name check production. According to the FBI, the model is now in use and providing the basis for forecasted and actual name check production. Nevertheless, even if the new production model provides results that accurately reflect data in the NCP mainframe application, the resulting information may be questionable due to the reliability of the data.

The NNCP's difficulty in tracking the status of name check submissions also delays name check processing when a file pertinent to a name check subject is located in one of the FBI's worldwide field locations. When sending a name check request to an FBI field division, an NNCP analyst may send an e-mail, an Electronic Communication (EC), or call the field division's point of contact (POC). ECs are tracked in the FBI's ACS system, which records the date the request was uploaded, assigned, and closed. However, file review requests made by telephone and e-mail were not consistently tracked or recorded by the NNCP. In FY 2007, 7,222 ECs were assigned to field divisions and Legal Attaché offices for NNCP file reviews. Our review of EC activity in 5 large FBI field divisions revealed that responses to NNCP requests were 11 days late, on average, as shown in the following table.

Timeliness

Field Divisions	Percentage of Sample Late (All Customer Agencies)	Average Number of Days Late
Washington, D.C.	64	24
New York	33	2
Miami	57	14
Los Angeles	45	10
San Francisco	12	4
Total	42	11

Source: OIG Testing of ECs provided by FBI Field Divisions

Our audit noted that FBI field divisions face considerable problems in processing NNCP file review requests. For example, we found cases where the NNCP took 7 months to follow up on a name check request and instances where the NNCP assigned name check requests to the incorrect POC at the field division. As a result, we cannot determine if delays are caused by the field divisions or the NNCP's processes. Nevertheless, we believe the FBI should develop guidelines for submitting name check requests to field

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divisions, and identify a central point of contact for field divisions in order to improve communications with the NNCP.

Interaction with Customer Agencies

As a reimbursable program, NNCP officials must work with customer agencies to provide information that meets their needs. We met with officials from the NNCP's three largest customers - USCIS, OPM, and DOS - to determine how they interact with the NNCP, how they transmit and track name check submissions to the NNCP, and their level of satisfaction with NNCP's name check services. Officials representing each customer stated that the NNCP provides critical information that cannot be obtained through other means. This is particularly true for the USCIS, which despite delayed name checks is reluctant to discontinue use of the NNCP's services.

OPM officials stated that they needed to play an active role in the name check process with the issuance in 2004 of Homeland Security Presidential Directive 12, which mandated background investigations for all federal employees and contractors, and a subsequent federal law that imposes limits on security clearance processing times for federal employment.¹⁴ As a result, OPM, in cooperation with the FBI, designated an on-site official to oversee its name check requests at the NNCP. According to OPM, this resulted in an increase in NNCP's productivity for OPM's name checks by introducing a new way of transmitting name check requests via a secure portal, developing a new system to link the OPM requests to the FBI system, providing 31 contractors to perform OPM name checks, and tailoring the NNCP training to meet OPM needs.¹⁵

NNCP managers stated that they are in touch with USCIS officials on a regular basis to discuss processing delays. In contrast, name check analysts have minimal to no contact with USCIS representatives outside of NNCP facilities in Washington, D.C. Therefore, if a question arises on a name check that could be resolved by acquiring additional information, NNCP personnel have generally deferred to NNCP supervisors who, as previously noted, were overwhelmed by the large number of new FBI employees and

¹⁴ The Intelligence Reform and Terrorism Prevention Act requires adjudicative agencies such as OPM to ultimately adjudicate applications within an average of 60 days. Pub. L. No. 108-458 (2004).

¹⁵ The new method of transmitting name check requests and responses is via a secure portal, which allows the FBI and OPM to transmit name checks through a shared interface, allowing OPM to match a name check response from the FBI with the original request. The secure portal eliminates "lost" requests that can occur with magnetic tape and reduced the number of OPM duplicate requests.

contractors. Given the success that OPM had with on-site personnel, we believe that the NNCP should provide USCIS the opportunity to either maintain an on-site representative to oversee USCIS name check requests in Winchester, Virginia, or establish a dedicated central point of contact for NNCP analysts to contact for additional information.

Insufficient Cost Recovery

During the audit, NNCP officials stated that its backlog of name checks is partially due to reliance on manual processes and that technological improvements could not be addressed due to a lack of funding. However, the FBI is authorized to charge a fee for name checks and reassess these fees biennially.¹⁶ We found that the FBI did not revise the fees it charged for name checks until FY 2008, 17 years after the first fees were implemented. Further, prior to FY 2008 the FBI had not charged customers an authorized surcharge to fund FBI technological enhancements. The NNCP now includes a \$1 technology charge to fund future automation and IT enhancements. The FBI estimates that its \$1 technology charge will generate nearly \$7.2 million for IT investments in FYs 2008 and 2009.

In addition, some customers are frequently not charged for name check services related to special events, including major professional athletic championships such as Major League Baseball and National Football League games. NNCP officials explained that several customer submissions are filtered through various FBI divisions and offices for national security purposes. Those divisions and offices designated these customer's requests as high priority and of national significance. Therefore, the FBI has been giving these types of name check requests law enforcement status that are not subject to the name check fees. According to NNCP officials, these customers often require priority designations and consume the immediate attention of analysts who were working on other name check submissions. In our review of more than 260,000 special-event name checks between FYs 2003 and 2007, we identified between \$376,660 and \$9,322,340 in potential name check fees for these special events. We question whether the FBI should absorb the full cost for these customers' identification services. The FBI is now examining whether these types of name checks should be

¹⁶ The FBI may establish and collect fees to process fingerprint identification records for non-criminal justice, non-law enforcement employment, licensing purposes, and for certain employees of private sector contractors with classified federal contracts. The fees may be used for salaries and other expenses incurred in providing these services, and include an automation surcharge to fund future technology improvements. (See 28 U.S.C. § 534 (2002)). OMB Circular A-25 requires the review and adjustment, where applicable, of user fees every 2 years. However, fee adjustments must be consistent with the Circular's policies.

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billable. In addition, NNCP management said that Major League Baseball has agreed to pay for some of its name check services beginning in FY 2008.

Long Term Plans for Operational Improvements

The FBI recognizes the need to reengineer the NNCP and believes that one way to address name check inefficiencies is to develop a modern records management system. According to NNCP officials, many name checks are delayed while analysts wait to acquire hardcopy documentation from FBI files. In FY 2004, the FBI's RMD introduced plans to implement a modern records management facility, known as the Central Records Complex (CRC), to improve how the FBI organizes and retains its records. While the CRC is not being pursued solely for the benefit of the NNCP, the FBI believes CRC will solve many of the causes contributing to the current name check delays. According to RMD, about 30 percent of USCIS name checks reaching the dissemination stage require access to paper files. In addition, RMD officials stated that many documents are not available electronically, such as faxes, paper copies of external documents, and receipts.

Due to uncertainties with the project, we could not evaluate the long-term impact the CRC will have on the NNCP, including how the NNCP will address the relocation of material and physical resources to the CRC, the training required for CRC operations, and the timely delivery of CRC components. RMD is transitioning NNCP personnel in Washington D.C. to the Interim Central Records Complex in Winchester, Virginia, prior to the eventual relocation of all name check personnel to the CRC by the end of March 2011. While RMD management recognizes the need for a carefully planned transition, we did not note any formal strategic planning to address the transition's impact on name check production. The NNCP believes that the CRC will speed the name check process because closed files will be centrally located and the NNCP will be less dependent on field offices for the retrieval and review of files.

Although having NNCP supervisors and staff located in one facility with closed files will benefit the NNCP, we believe that the CRC will have less impact on the NNCP workflow process than RMD anticipates for several reasons: (1) FBI case files produced after 1995 should already be available electronically in ACS; (2) the agreement with USCIS creating the Super and Mega filters eliminated the review of thousands of files; (3) according to the FBI, every terrorism record is digitized; (4) open case files will continue to be maintained at individual field divisions; and (5) as Sentinel is implemented, the FBI's paper-based records will become less relevant as future case file records are developed and maintained electronically.

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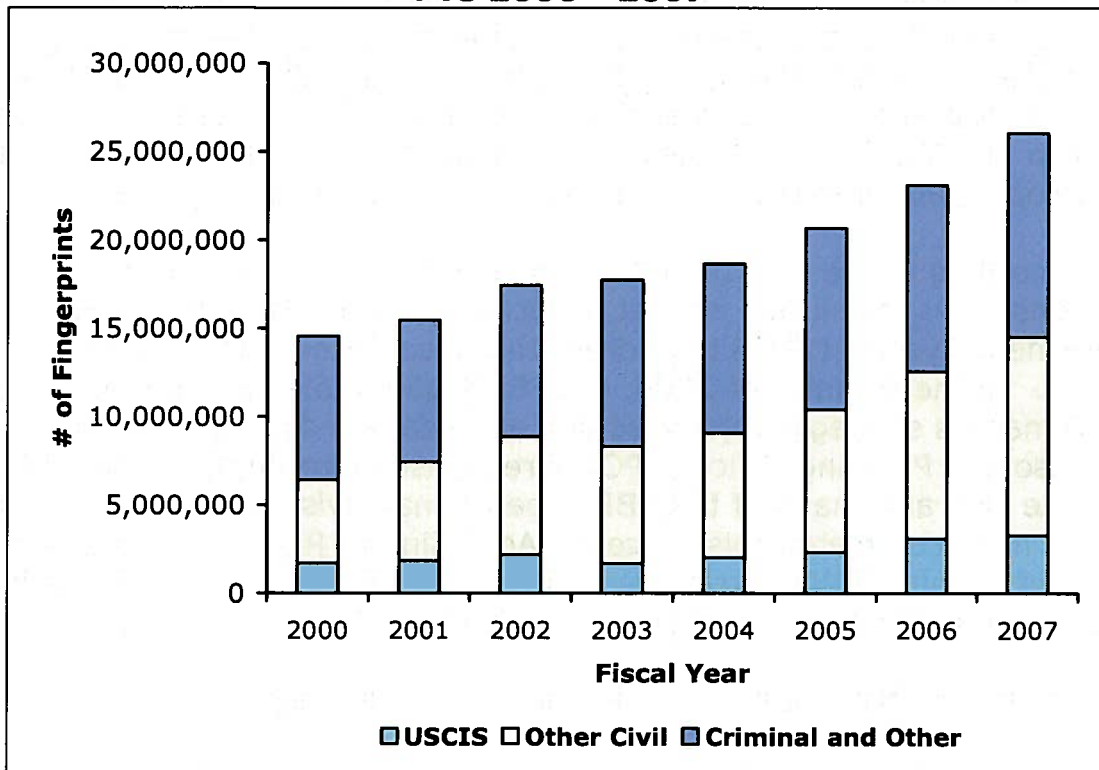
While FBI officials stated that their long-term objective is to implement a largely automated name check process, we noted that the NNCP is working without a well-defined business plan to guide its automation, workflow, staffing, fee structure, and program improvements. Although the NNCP developed customer-level operations plans for USCIS and OPM, as well as a draft plan for FY 2007 NNCP operations, none of the plans provided details on developing and implementing an automated name check process.

According to the FBI, the NNCP has executed customer-level operations plans, but it has not yet participated in the FBI's Strategy Management System (SMS) to address the need for overall strategic planning. In the summer of 2006, the FBI began implementing SMS to help the FBI map its strategic objectives and align day-to-day operations. The FBI's Resource Planning Office (RPO) is responsible for implementing SMS within the FBI, and many of the FBI's operational divisions and key support divisions have completed this process. According to RPO managers, the process of aligning RMD's strategies with overall FBI strategies will begin in July 2008 and should be completed by October 2008.

Fingerprint Identification Timeliness and Accuracy

In contrast to the NNCP, we determined that improved technology, trained personnel, efficient tracking mechanisms, and proficient communication have enabled the FBI to process millions of fingerprint submissions in a generally timely and accurate manner. In FY 2007, USCIS requested over 3.2 million fingerprint identifications from the FBI. The following table displays the total volume of customer agency fingerprint submissions and the annual volume of the USCIS submissions.

Total Fingerprint Volume by Submission Type¹⁷
FYs 2000 - 2007



Source: FBI CJIS Division

CJIS is pursuing improvements to their current operations and in December 2007 announced a 10-year, \$1 billion effort to enhance and expand its biometric identification services. Called the "Next Generation Identification" program, the effort seeks to include enhanced photographic identification with facial recognition and image searching of scars, marks, and tattoos; palm prints; and iris scanning, as well as improvements to fingerprint functionality with increased processing capacity, storage, and accuracy.

¹⁷ Through FY 2004, "Criminal and other" consisted almost entirely of fingerprints for criminal justice purposes but also included military fingerprints. Since FY 2005, all non-civil fingerprint requests have been for criminal justice purposes.

We noted that CJIS officials periodically adjust a confidence threshold within AFIS that dictates how many fingerprint submissions may pass through the matching system in what officials called a “lights out” fashion, that is, without any human intervention. While CJIS personnel could easily recite the methods used for processing adjustments to the confidence threshold and perform a variety of tests supporting any adjustments, we found that CJIS does not have written policies and procedures for documenting and approving such adjustments. We believe that the lack of written policies and procedures is an internal control weakness that could lead to unapproved and undocumented changes and hinder the accuracy of fingerprint identifications. In addition, we found that the FBI had not revised the fingerprint identification reimbursable fee structure since FY 1994, which was 5 years prior to the implementation of IAFIS.

Conclusion and Recommendations

Following the terrorist attacks of September 11, the NNCP experienced a surge in submissions for screening immigration and naturalization applicants and petitioners. However, we determined the NNCP’s methods for providing name check information relies on outdated and inefficient technology, insufficiently trained analysts, and overburdened supervisors. Specifically, the NNCP continues to rely upon an outdated phonetic name matching algorithm, which is the most important piece of the NNCP’s ability to timely and accurately perform name checks. These deficiencies increase the likelihood that name checks are conducted using inconsistent procedures, impacting the overall timeliness and accuracy of name check work.

Additionally, NNCP is hampered by ineffective tracking mechanisms, and the lack of a long term plan to guide its automation, work flow, staffing, fee structure, communications, and program improvements. Although the FBI could have enhanced funds to the NNCP by charging appropriate user fees to its customers, we found that the FBI did not raise its fees between FYs 1991 and 2007, resulting in lost opportunities to enhance its antiquated automated systems and the NNCP’s staffing levels. We believe that the NNCP requires a detailed business plan incorporating established milestones with accurate reimbursable fee assessments to reduce its name check backlog and aid in the implementation of new technology.

Unlike the NNCP, we found that the FBI's fingerprint identification process was generally timely and accurate. Fingerprint identification that once took 3 months to complete now can be completed within hours because of advanced technology, trained personnel, efficient tracking mechanisms, and proficient communication methods.

Our audit developed 21 recommendations to assist the FBI in ensuring the timely and accurate completion of name and fingerprint checks. Nineteen of these recommendations were developed for the NNCP. Among them, we recommend that the NNCP explore other phonetic search tools to update, replace or work in conjunction with the outdated name matching algorithm; work with the ITB to ensure that interim and long-term technology efforts modernize the FBI's name matching capability; develop and implement a formal training curriculum for name check analysts that includes a recurring or annual training component; develop quality assurance measures for the name check process, from start to finish; and develop a long-term business plan establishing a framework for the improvement of the NNCP's operations. We developed two recommendations pertaining to the FBI's fingerprint identification program. As with the NNCP, the FBI should include as part of its planning a process for reassessing its fingerprint identification fee structure every 2 years to ensure proper cost recovery and future automation. In addition, while procedures for changing AFIS were generally understood, CJIS should develop and implement written policies or procedures for documenting and approving changes to AFIS.

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**THE FEDERAL BUREAU OF INVESTIGATION'S
SECURITY CHECK PROCEDURES FOR
IMMIGRATION APPLICATIONS AND PETITIONS**

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INTRODUCTION

The Federal Bureau of Investigation (FBI) conducts security check and identification services that involve an examination of its vast repositories of investigative records. The FBI offers the following two types of security checks for immigration and naturalization applications: name checks and fingerprint identifications.

TABLE 1: FBI Security Checks

Security Checks	Description
National Name Check Program (NNCP)	Managed by the FBI's Records Management Division, this partially automated security check searches the Universal Index, which references persons, places, and things in an estimated 100 million FBI case files. The files, maintained in the Automated Case Support system, the FBI's Alexandria, Virginia, Records Complex, or one of the FBI's 265 field locations around the world, document people who are the subjects of an FBI investigation (main file) or are associated with the main subject of an investigation (reference file). ¹
Integrated Automated Fingerprint Identification System (IAFIS) ²	Managed by the FBI's Criminal Justice Information Services Division (CJIS), IAFIS is a national fingerprint and criminal history system that provides automated fingerprint search capabilities, latent searching capabilities, electronic image storage, and electronic exchange of fingerprints and responses, 24 hours a day, 365 days a year. According to the FBI, IAFIS maintains the largest biometric database in the world, containing fingerprints and corresponding criminal history information for more than 50 million subjects.

Source: FBI

¹ Prior to fiscal year (FY) 2003, the NNCP searched only main files, which included perpetrators of crimes or those previously investigated by the FBI. In FY 2003, the FBI began searching name check requests against both FBI main and reference files. Reference files contain case file information that is associated with the main subject of an investigation. For example, a reference file may refer to subjects who were interviewed at the scene of a crime or subjects present during an FBI investigation. This FBI effort was designed to detect individuals who may not surface as the direct subject of an investigation during an FBI name check, but who are connected to subjects with criminal and investigative histories.

² IAFIS is composed of several systems: Automated Fingerprint Identification System (AFIS), Interstate Identification Index (III), Electronic Fingerprint Converter (EFCON), Identification Tasking and Networking (ITN), and the IAFIS Data Warehouse (IDWH). Each segment provides discrete capabilities and works in conjunction with the other segments to support FBI service providers. AFIS is a fingerprint comparison system.

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The FBI's largest fingerprint identification and name check customer is the U.S. Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS). The USCIS is responsible for administering immigration and naturalization functions, and requests these services as part of its process of deciding whether to grant immigration benefits to applicants and petitioners.³ According to the USCIS, it relies upon information derived from these FBI security checks, along with questions concerning the applicant's background, English language proficiency, and civics testing to adjudicate immigration applications and petitions. However, the USCIS has reported that delays in the FBI's name check process have hindered its ability to adjudicate immigration or naturalization applications in a timely manner.

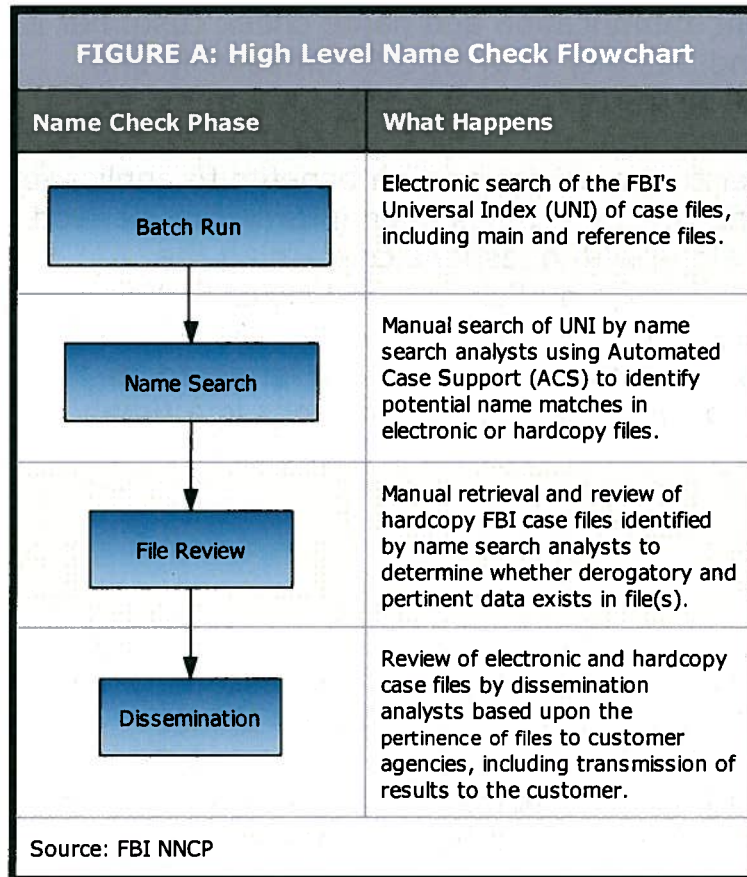
Name Check

The NNCP was established in 1953 to prescreen the names of federal job applicants applying for national security positions. Once located in the FBI's Information Management Section (IMS) of the Criminal Justice Information Services Division (CJIS), the NNCP was transferred to the Records Management Division's (RMD) Records/Information Dissemination Section (RIDS) in the 2001 reorganization of certain FBI headquarters functions. In 2005, the NNCP was integrated into an autonomous RMD section because of the increasing significance of the FBI's name check services.

The NNCP has the authority to disseminate information to authorized agencies when it is relevant to that agency's responsibility and is in the best interests of the U.S. government.⁴ The NNCP disseminates pertinent and derogatory information from FBI case files by means of the four distinct

³ Appendix III describes the USCIS immigration applications and petitions that receive FBI fingerprint identification or name check services.

⁴ 28 U.S.C. § 534 (2006).



phases shown in Figure A.⁵ Each customer agency defines what information from the FBI case files is pertinent and derogatory for the requested name check. What may be considered pertinent and derogatory for one agency may not be pertinent and derogatory for another. According to the FBI, pertinent and derogatory information for USCIS means that the name search subject is a potential threat to national security, public safety, or may be ineligible for an immigration benefit. National security concerns include involvement in terrorist activity, espionage, sabotage, foreign

counterintelligence or the illegal export of technology or sensitive information among other activities. Public safety concerns include information regarding the subject's criminal history or criminal activity. These concerns can also involve information relating to the subject's health, such as a contagious disease, mental disorder, or drug abuse. In addition, an applicant may be ineligible for an immigration benefit due to an array of immigration violations such as presenting a fraudulent document, unlawful entry into the United States, or unlawful residence or employment in the United States.

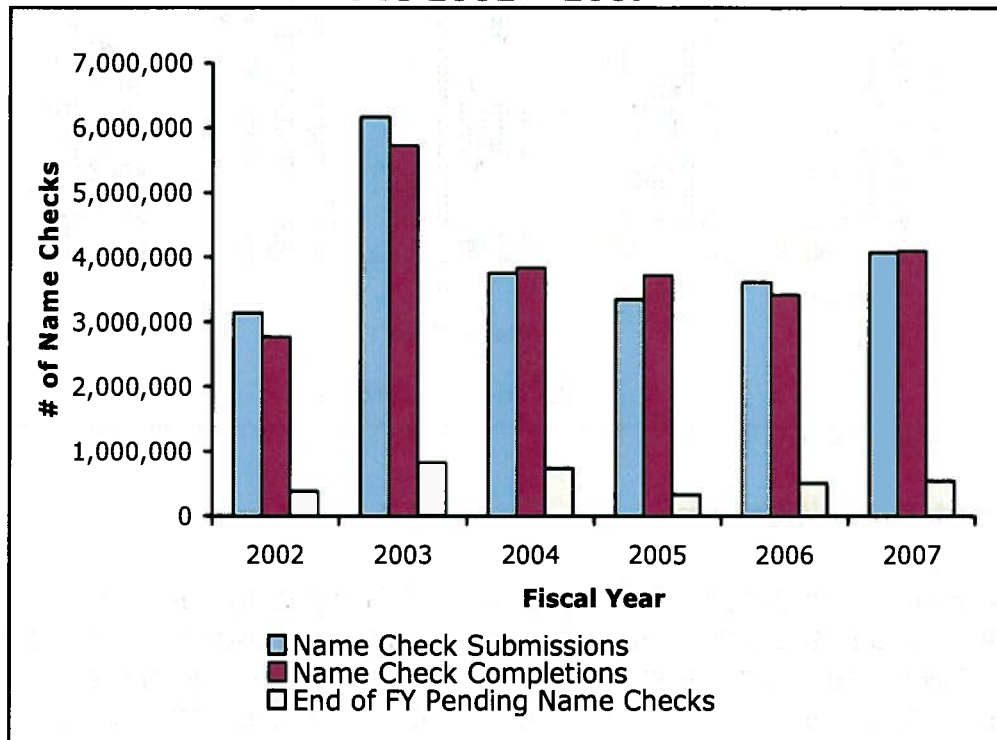
The use of NNCP's services surged following the terrorist attacks of September 11, 2001, with name check requests increasing from 2.7 million name checks in Fiscal Year (FY) 2001 to more than 4 million in FY 2007. Customers such as the DHS, the Department of State (DOS), and the Office of Personnel Management (OPM) routinely seek FBI case file information for

⁵ The NNCP modified the name check process in January 2008 to move name checks from the Name Search phase directly to the Dissemination phase, bypassing the File Review phase. Analysts in performing Dissemination work request file review services as needed. This transition was a significant adjustment to the name check workflow process because it allowed name checks that do not require any hardcopy documentation to progress directly to the Dissemination Phase.

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individuals seeking government employment or official appointment, a security clearance, U.S. travel visas, U.S. permanent residency or naturalization, attendance at White House functions, or employment at high-profile events such as a major sporting event. Table 2 depicts the total name check request volume by fiscal year (FY). Of the 4 million name check requests received in FY 2007, 2.2 million were from USCIS.

**TABLE 2: Total Volume of Submitted, Completed, and Pending Name Checks
FYs 2002 – 2007⁶**

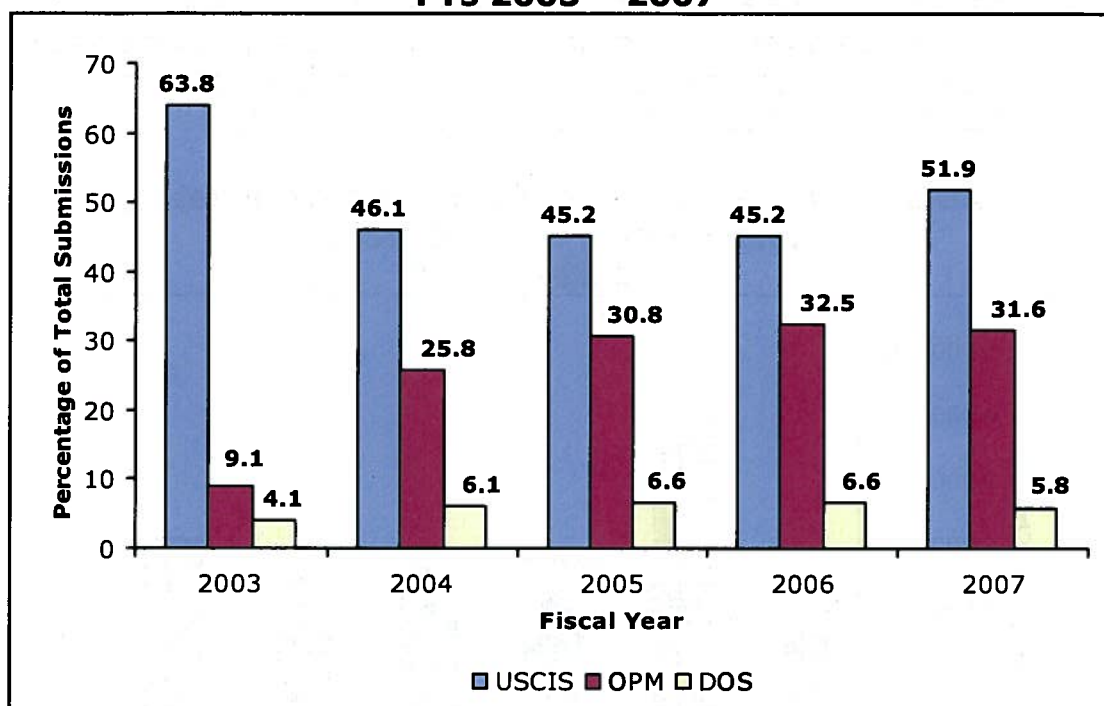


Source: FBI NNCP

The bulk of NNCP's work is for federal agencies that make adjudications for benefits related to immigration, federal employment, and U.S. travel visas. The NNCP's three largest customers by volume are the (1) USCIS, (2) OPM, and (3) DOS. About 50 percent of all name checks performed by the NNCP originate from the USCIS. Table 3 below depicts the total name check request volume by FY for the USCIS, OPM, and DOS.

⁶ The surge of name check requests in 2003 resulted from the resubmission of 2.7 million name check requests from USCIS for more extensive searches.

**TABLE 3: Percentage of Total NNCP Volume
Top 3 Customer Agencies
FYs 2003 – 2007**



Source: FBI NNCP

Fingerprint Identification

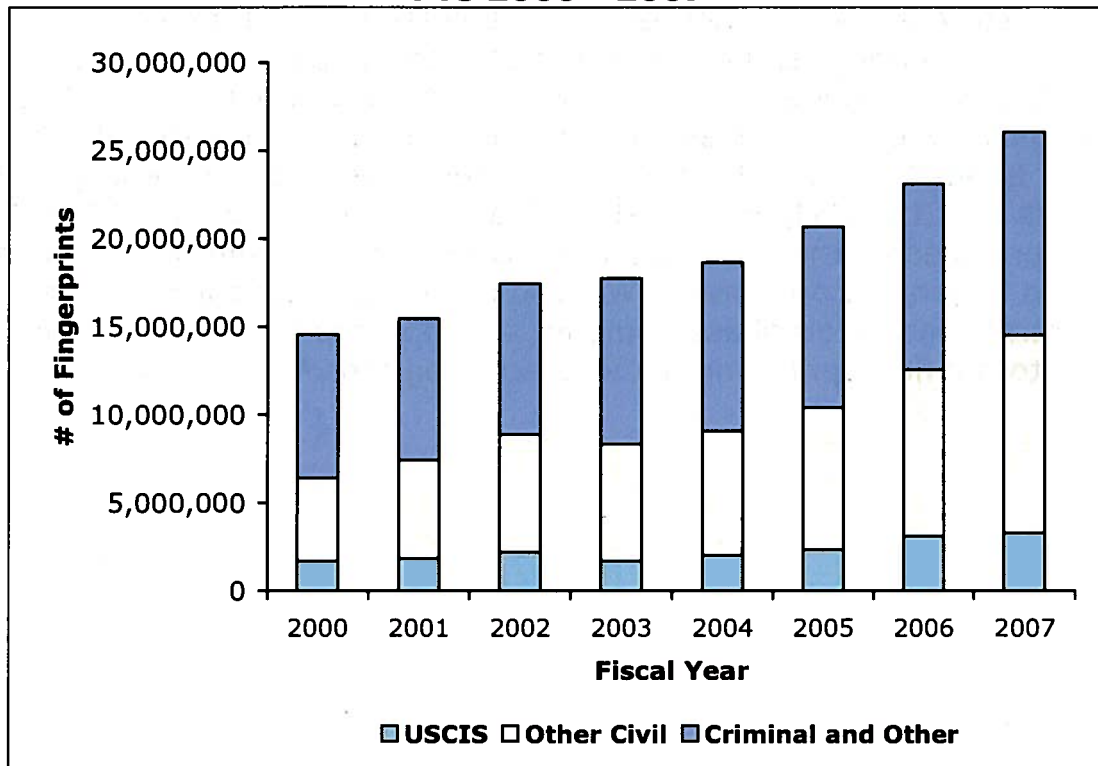
The FBI has maintained a repository of fingerprint records since 1924. Prior to July 1999 when the Integrated Automated Fingerprint Identification System (IAFIS) was implemented, the FBI manually compared submitted fingerprints to fingerprint cards on file. Through IAFIS, the process for interpreting and comparing fingerprint data is mostly automated. Therefore, only a small portion of the fingerprint identification process requires human intervention to verify a subject's prints with the FBI repository.

CJIS conducts fingerprint identifications for requesting agencies from a secure facility in Clarksburg, West Virginia. CJIS provides fingerprint identification services for law enforcement purposes (criminal), such as fingerprints taken from an arrestee upon booking into a police station, and non-law enforcement purposes (civil), such as fingerprints requested for employment or licensing purposes, including immigration and naturalization.⁷ On average, CJIS processes about 21 million fingerprint requests annually from approximately 80,000 customers.

⁷ Since FY 2005, 50 percent or more of the fingerprint requests were submitted for civil purposes.

The USCIS is the largest single requestor of the FBI's fingerprint identification services. In FY 2007, USCIS requested over 3.2 million fingerprint identifications. Table 4 displays the total volume of customer agency fingerprint submissions and the annual volume of the USCIS submissions.

**TABLE 4: Total Fingerprint Volume by Submission Type⁸
FYs 2000 - 2007**



Source: FBI CJIS Division

Between 2000 and 2007, the FBI completed more than 153 million fingerprint identifications, including more than 18 million for the USCIS.

⁸ Through FY 2004, "Criminal and other" consisted almost entirely of fingerprints for criminal justice purposes but also included military fingerprints. Since FY 2005, all non-civil fingerprint requests have been for criminal justice purposes.

OIG Audit Objectives and Approach

The Department of Justice Office of the Inspector General (OIG) initiated this audit to assess the timeliness and accuracy of the FBI's name and fingerprint checks that are requested by the USCIS when processing applications and petitions of individuals seeking an immigration benefit. For name and fingerprint checks, we reviewed the FBI's process, response times, fee structure, personnel resources allocated to each program, production monitoring, and communication with customers. We conducted field work and interviewed officials at FBI headquarters; CJIS in Clarksburg, West Virginia; and RMD in Washington, D.C, and Alexandria and Winchester, Virginia. In addition, we interviewed representatives from three large FBI customers (USCIS, OPM, and DOS) to obtain their assessments of the services provided by the FBI and any concerns they had with the FBI name check and fingerprint processes. We also reviewed historical performance data, internal and external assessments, and documentation for planned changes to the fingerprint and name check programs.⁹

⁹ Appendix I describes our scope and methodology as related to the audit objective, while Appendix II contains a list of acronyms.

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FINDINGS AND RECOMMENDATIONS

I. NAME CHECK TIMELINESS AND QUALITY

The FBI received over 4 million name check requests in FY 2007 from federal agencies, the law enforcement community, and authorized non-criminal justice agencies. While we found that the FBI processed about 86 percent of name check requests within 60 days, name checks for the remaining 14 percent can take anywhere from several months to over a year. In addition, as of March 2008 the FBI had over 327,000 pending USCIS name check requests, with 90 percent over 30 days old and more than 110,000 requests (30 percent) pending for over 1 year.

Our audit found that the NNCP's methods for conducting name checks rely on outdated and ineffective technology, staff and contractors who have limited supervision and training, inadequate quality control measures, and inconsistent use of production goals for name check analysts. As a result, the NNCP's name check backlog causes delays in the DHS's efforts to assess potential national security threats residing in the United States and adjudicate applicants' requests for immigration benefits. In addition, NNCP's processes do not provide adequate assurance that necessary information is being retrieved and transmitted to customer agencies.

Name Check Timeliness and Backlog

Federal law requires the USCIS to grant or deny naturalization benefits to an applicant at the time of the initial examination or within 120-days after the date of the examination.¹⁰ If USCIS does not grant or deny the benefit within 120 days of the date of examination, an applicant may apply to the U.S. district court in the district in which the applicant resides for a hearing on the matter.

¹⁰ 8 C.F.R. § 335.3 (1993).

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The NNCP recently established production goals to complete USCIS name checks. The NNCP's goal is to process 98 percent of USCIS's name check requests within 30 days. As depicted in Table 5, as of March 2008 the NNCP reported that over 327,000 USCIS-requested name checks remain in its working queue, with over 300,000 (90 percent) over 30 days old and more than 111,000 (30 percent) over 1 year old.

**TABLE 5: Pending USCIS Name Check Submissions
(as of March 2008)¹¹**

USCIS Submissions	0 – 30 Days	31 – 60 Days	61 – 120 Days	121 Days – One Year	> One Year
Asylum	2,199	1,286	861	2,150	5,613
Catch-All	703	797	1,090	3,705	7,390
Executive Office for Immigration Review	1,281	739	858	1,481	2,631
Naturalization	9,323	7,027	23,898	36,629	50,794
Adjustment of Status	11,232	7,303	8,182	95,342	45,260
Total	24,738	17,152	34,889	139,307	111,688

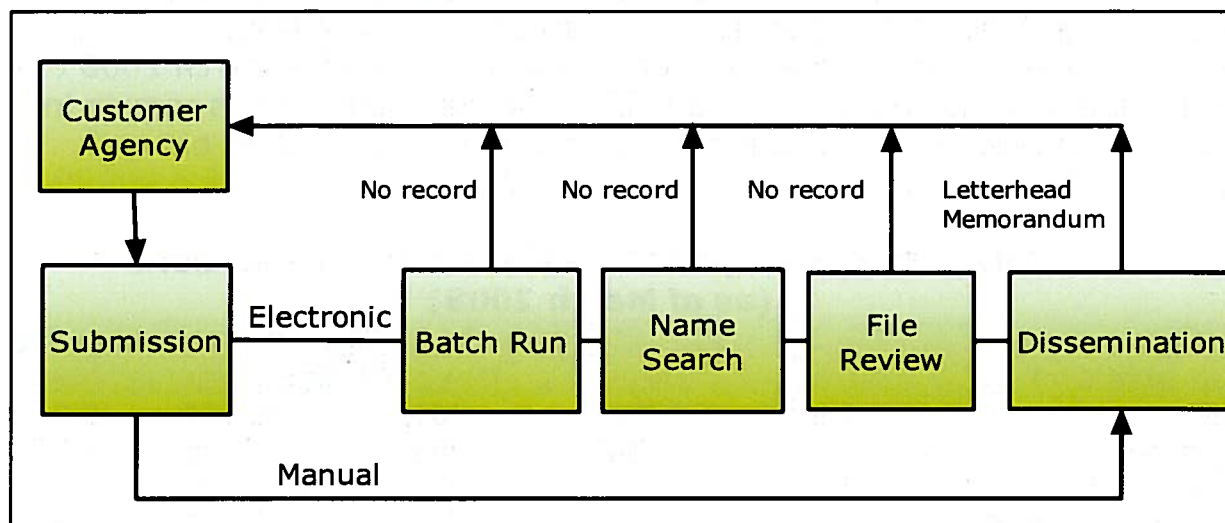
Source: FBI NNCP

The NNCP process, as illustrated in Figure B, involves four distinct phases: (1) an electronic Batch Run search of the FBI's Universal Index (UNI), (2) a customized Name Search of UNI, (3) a File Review which entails the collection and manual review of pertinent hardcopy records in FBI case files, and (4) Dissemination of pertinent and derogatory information via a letterhead memorandum (LHM) to the requesting customer agency.¹²

¹¹ The volume of pending USCIS name check submissions fluctuates. In October 2006, the USCIS pending volume totaled nearly 365,000 name checks. The USCIS volume exceeded 402,000 submissions as of September 2007, before dropping to the March 2008 volume of over 327,000 submissions.

¹² Dissemination packages may communicate pertinent or derogatory information via a LHM, investigative report, or a third-party referral. The LHM is a term used by the FBI to describe a name check analyst's summary of the FBI's case file data.

FIGURE B: NNCP Name Search Flow Process¹³

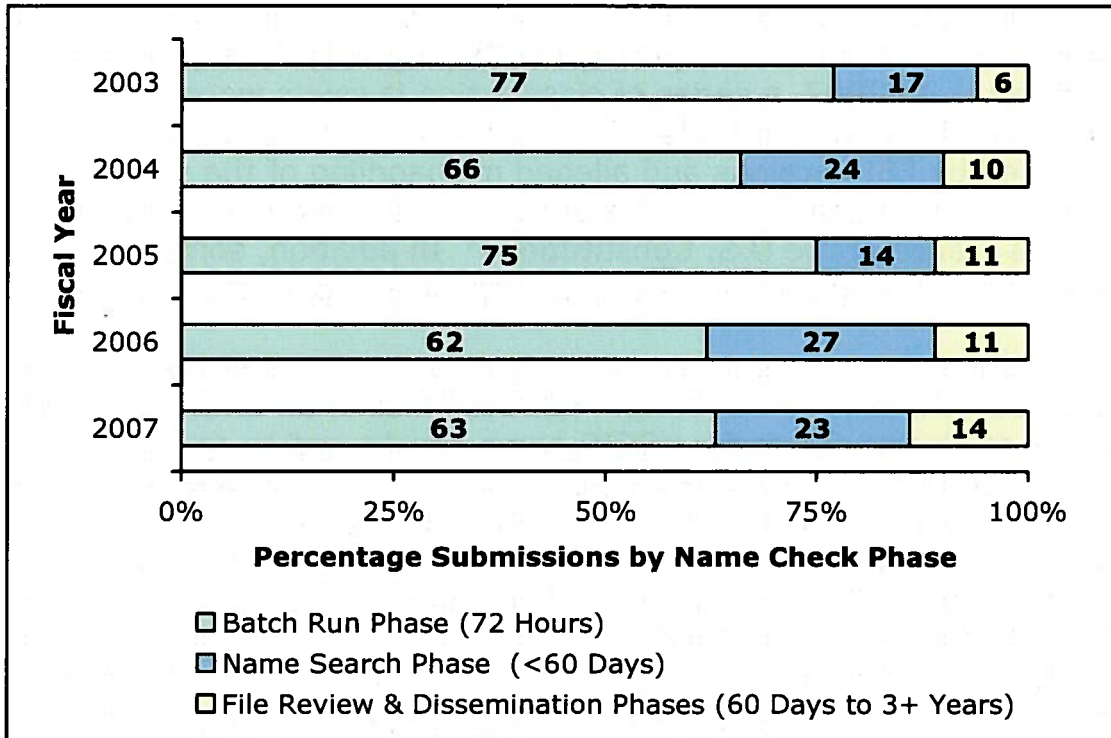


Source: FBI NNCP

The automated Batch Run process electronically eliminates subject names that do not have a match in UNI. The processes following the Batch Run entail a greater degree of manual work, including requesting and scanning documentation, reviewing files, and obtaining permission from third-party agencies to disseminate derogatory information to the customer. As shown in Table 6 below, the percentage of name checks taking longer than 60 days to process has gradually increased since FY 2003. For example, in FY 2003 only 6 percent of all name checks took longer than 60 days to process; in FY 2007, approximately 14 percent of name check requests took longer than 60 days.

¹³ As noted in the Introduction, the NNCP modified the name check process in January 2008 to move name checks from the Name Search phase directly to the Dissemination phase, bypassing the File Review phase.

**TABLE 6: Percentage of Name Checks Received by Phase
Fiscal Year 2003 - 2007**



Source: FBI NNCP

A letterhead memorandum (LHM) is part of a dissemination package issued to a customer when the name check subject's case file contains pertinent and derogatory information. In FY 2007, the FBI issued 1,413 LHMs to USCIS. This means that for less than 1 percent of all USCIS name check submissions in that year, pertinent and derogatory information was found in FBI systems and transmitted to the USCIS.¹⁴

Effects of Delayed Name Checks

Delays in name checks affect immigration and naturalization applicants who seek to adjust their status and become citizens of the United States. Security check delays and backlogs can impact these individuals and can also have far-reaching implications for homeland security, commerce, and education. Delays in the naturalization process slow applicants' access to U.S. citizenship benefits. Delayed security checks may also slow the adjudication and deportation of national security threats residing in the United States, hinder the entry of foreign workers for domestic business operations, and impede academic study-abroad programs.

¹⁴ Due to delays in name check processing, some of the 1,413 LHMs could be related to submissions from previous years.

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The delays in security checks have generated lawsuits against the USCIS and the FBI. The FBI Office of the General Counsel reports that since 2005 more than 6,000 writs of mandamus have been filed by applicants and petitioners in federal courts compelling USCIS to grant or deny benefits without delay.¹⁵ In 2007, a series of class action lawsuits were initiated on behalf of naturalization applicants. The petitions claim that adjudication delays caused by FBI backlogs and alleged mishandling of the security check process violate the Administrative Procedure Act and the Fifth Amendment Due Process Clause of the U.S. Constitution.¹⁶ In addition, some judges have threatened to use their authority to adjudicate applications or petitions.

To address the delays, in September 2007 the FBI and USCIS entered into an agreement to filter out certain FBI case files in an effort to decrease the volume of files reviewed for USCIS name checks and to speed up the name check process. The filtering mechanism has two components. The first filter, termed Mega Filter, eliminates three file categories from the name check process for all pending and future USCIS name checks. The second filter, termed Super Filter, identifies or flags thousands of FBI files that the USCIS and NNCP agreed to eliminate from USCIS name searches. The flags indicate that name check analysts should disregard such files. However, according to name check supervisors and analysts we interviewed, these files may contain pertinent criminal history information or reference other files with information that the USCIS would consider pertinent and derogatory.

Furthermore, in response to the delays in the FBI name check process and in an effort to reduce the backlog of immigration applications, the USCIS decided in February 2008 to begin approving otherwise completed U.S. permanent residency (green card) applications that were at least 180 days old even if the FBI had not completed its name check review. If derogatory information on the green card recipient is later revealed by the FBI's name check process subsequent to granting a green card, the USCIS said it will

¹⁵ The mandamus writ commands the performance of a particular act or directing the restoration of the complainant to rights or privileges of which he has been illegally deprived. *Nebel v. Nebel*, 241 N.C. 491 85 S.E.2d 876, 882. The U.S. District Courts have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to a plaintiff. 28 U.S.C. § 1361 (1962).

¹⁶ The class action suits include *Bavi v. Mukasey* (2007), *Zhang v. Gonzales* (2007), and *Roshandel v. Chertoff* (2007), among several others. The Administrative Procedure Act, 5 U.S.C. § 555 (2007), in part requires administrative agencies to conclude matters presented to them "within a reasonable time." The Fifth Amendment Due Process Clause, U.S. Constitution, prohibits the government from depriving life, liberty, or property without due process of law.

seek to deport the recipient. The USCIS stated that the change will not apply to naturalization applicants due to the difficulty in revoking citizenship as compared to the process for rescinding permanent residency.

Reasons for Delayed Name Check Processing

In the wake of the terrorist attacks on September 11, 2001, the FBI, in cooperation with the USCIS, altered its name check method, searching both main and reference investigative file data. As a result, the USCIS resubmitted 2.7 million name check requests in FY 2003. The NNCP stated that this resubmission of USCIS name check requests to obtain reference file data associated with the name check subjects initially created the backlog. In addition, the NNCP stated that the manual processes of locating and retrieving paper files worldwide coupled with inadequate funds to improve the program has contributed to the backlog.

A February 2002 Business Process and Staffing Study of name check operations, produced by Advanced Computing Technologies for the FBI, observed that the NNCP experienced processing delays during the study period of September 2000 and July 2001, and that the September 11 terrorist attacks had significantly increased the NNCP's workload.¹⁷ The study concluded that the number of NNCP staff on board was not sufficient to handle the name check information needed in the aftermath of the terrorist attacks.

The FBI acknowledged NNCP's current processes are inefficient and do not reflect a state-of-the-art system. In addition to the FY 2002 study, the FBI conducted assessments of the NNCP in FYs 2007 and 2008.¹⁸ Each assessment found the need to further automate the name check process. However, instead of implementing new search mechanisms and automated processes, the NNCP supplemented its antiquated processes by significantly increasing the number of personnel performing manual name check functions. In addition, the most significant technological enhancements we noted in the past several years include a user friendly interface to scanned documentation and efforts to implement a text recognition tool. One RMD official described the current approach as applying "small band-aids" to the legacy name check process in an attempt to meet the increased name check demand.

¹⁷ This study was commissioned by CJIS prior to the transfer of name check operations to RMD.

¹⁸ See Appendix IV for additional assessment and study details including scope and pertinent recommendations.

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In March and April 2008, the NNCP finalized customer-level operations plans with USCIS and OPM, respectively. The USCIS plan describes how the NNCP segmented the USCIS name check backlog into timeframes and instructed analysts to begin focusing on the oldest pending name checks first. According to the NNCP, the segmentation of work queues reduced the backlog of name checks older than 4 years from 12,000 to 3,000 between the inception of this initiative in November 2007 and March 2008. The NNCP and USCIS hope to have addressed all name checks pending more than 2 years by July 2008 and those pending more than 1 year by November 2008. The plan also outlines how the NNCP will meet their June 2009 goal of processing 98 percent of USCIS's name check requests within 30 days. Likewise, the OPM operations plan discusses eliminating all OPM name checks pending for over 40 days by April 2009. Both plans rely on using the NNCP's current processes and state that the FBI is issuing a statement of work designed to obtain the services of a contractor to reengineer the name check process with contemporary technology and business practices.

FBI officials said their long-term goal is to implement a largely automated name check process; however, we confirmed that NNCP's current automated processes, such as its name matching tools, have had few if any modifications or upgrades since their inception. Further, the current NNCP method for completing name checks is dependent upon a growing number of FBI and contract employees who are under-supervised and have limited training.

Integrating Technology into the Name Check Process

Technology and automation are critical for increasing name check process efficiency. However, we identified several weaknesses with how the FBI is integrating technology into the name check process.

FBI Name Matching Tools are Outdated and Incomplete

Despite the trio of assessments of the NNCP, the FBI did not conduct a technical assessment of perhaps the most important factor affecting the NNCP's ability to timely and accurately perform name checks: its phonetic name matching tools. Our review of the FBI search tools revealed that the FBI relies heavily on an outdated modified Soundex algorithm to return potentially close phonetic matches.¹⁹ The NNCP Batch Run phase uses two methods to search and find name matches, an Around the Clock Three Way search and a phonetic search developed by the FBI in the mid-1990s. The

¹⁹ Soundex is an English-based phonetic algorithm that was developed in 1918. The U.S. Census Bureau began using Soundex in the 1930s as a means for searching family names in genealogical research.

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Around the Clock Three Way search is actually two search techniques: an Around the Clock and a Three Way Search.

[REDACTED]

[REDACTED]

Source: FBI Information Technology Operations Division (ITOD)

[REDACTED]

[REDACTED]

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Deficiencies with Soundex Tools. One of the primary problems with using a Soundex phonetic algorithm for name checks stems from its initial development. Soundex algorithms are not culturally based search tools and do not attempt to adjust for the cultural permutations, transliteration issues, and culturally specific naming characteristics involved in modern name matching. Developed using English or Anglo names that are easily broken into name parts (i.e., first, middle, last), there are no transliteration issues. Although there may be multiple ways to spell Smith (Smyth or Smithe), the pronunciation and consonants do not change. Soundex algorithms used with other languages such as Arabic, which have not only different sounds and pronunciations but different cultural naming norms, may produce high levels of false positives and negatives.²⁰

[illegible]

Source: OIG

²⁰ A false positive occurs when the search tool indicates that a name check submission matches a name in UNI when in fact it does not match the name. A false negative occurs when the search tool indicates that a name check submission does not match a name in UNI when in fact the submission is a match.



Similarly, Soundex algorithms are incapable of placing varied value on different name parts. When used to search against English names, this is not necessarily a significant deficiency. However, since approximately half of the NNCP workload comes from the USCIS, and many of the name check requests include names not generally associated with English-language origins, this can become a significant problem. The Western concept of naming parts and order – given, middle, and surname – is not applicable in many other cultures. Many Eastern cultures order their names with the family or surname first. For example, in China the family name often is written first, followed by the given name. In addition, 100 surnames account for 85 percent of the population in China. Therefore, by weighing a surname match the same as a given and surname match, the system would produce a high number of false positives. In addition, many Arabic names may include several names not easily broken into given, middle, and surname. Therefore, using a Soundex system that puts the same weight of a Western ordered surname match as a given name match may return a high level of false positives.

As noted below in Table 9, the top 10 places of birth for name check subjects submitted by USCIS are countries where English is not the native language.

**TABLE 9: Top 10 Places of Birth of USCIS Name Check Subjects
FYs 2001-2007**

Name Check Subject Place of Birth (POB)	Checks Submitted to Batch Run
Mexico	1,472,666
India	596,299
Country Unknown	549,941
China	507,733
Philippines	421,340
Cuba	326,247
El Salvador	247,887
Colombia	233,564
Dominican Republic	229,785
Haiti	186,625
Total for Top 10 Places of Birth	4,772,087
Total for All Places of Birth	9,568,287

Source: FBI ITOD

While a majority of these countries use a Western order for naming, naming practices among these countries vary dramatically. For example, many of the most common places of birth are countries where Spanish is the primary language. In Spanish-speaking cultures, it is common for children to have multiple surnames: that of the father and mother. In this case, a Soundex algorithm is unable to put more value on a potential match of both surnames rather than a single surname. Depending on how the information is entered into the system, often incorrectly using Western naming norms, a high level of false positives or false negatives may occur.

The difficulties discussed with name matching, and specifically with Soundex, become even more significant when comparing the most common places of birth for all incoming and pending name checks. We noted that as of October 1, 2007, the places of birth most represented among pending USCIS name checks (at any stage of the name check process) relative to their share of all USCIS name checks since 2001 were Libya, Iraq, India, Saudi Arabia, China, Kuwait, United Arab Emirates, Yemen, South Korea, and Palestine. When compared to the most common places of birth for USCIS incoming name check submissions, it is apparent where the system has problems identifying potential matches. This data underscores the importance of improving upon the FBI's phonetic algorithm, especially with respect to countries where the primary spoken language is not written using a Latin alphabet and the countries do not traditionally use western naming norms.

Quality Assurance. Our audit found that the FBI has not performed any quality assurance on its name matching search tools. In the 11 years since UNI was created, we found that only one comparison to another name searching tool had been completed. We reviewed the comparison completed in 2005 by the FBI's Information Technology Operations Division (ITOD) and determined that the FBI compared the systems based solely on system capabilities, not on accuracy or other performance metrics.²¹ While the FBI has reviewed other phonetic search tools for use in operational case management, no additional reviews or comparisons have been performed related to NNCP.

Further, we reviewed two Soundex studies. Both studies, performed in the 1990s, tested a Soundex algorithm on British names. In one study, researchers found a Soundex algorithm failed to match 60 percent of true match pairs.²² In the second study, the Soundex algorithm failed to identify 25 percent of actual matches and of the matches identified, 66 percent were incorrect.²³ Even without taking into account the transliteration, segmentation, dialect, and acoustic errors prevalent in foreign-language name searching, the results produced by these Soundex algorithms could not be viewed as complete and accurate.

In light of these findings, we spoke with officials at the Terrorist Screening Center (TSC) and DOS, organizations that rely on identity matching to help perform their duties. We found that at both the TSC and the DOS, phonetic algorithms were tested and updated to address specific cultural and linguistic variances. Both agencies used native foreign language speakers, metrics, and real data test sets to determine how to adjust their search engine results. This has not occurred at the FBI. In fact, we were told by ITOD officials that the UNI matching searches, including the phonetic tool, have not been updated since their creation in the mid 1990s.

²¹ The review determined whether the software provided six criterion, none of which reviewed the software for accuracy and not all of which are current FBI capabilities: (1) would search results include name variations; (2) is the search capable of supplying a phonetic search component; (3) does the search provide foreign name translation into English; (4) does the search rank results based on accuracy; (5) is it capable of searching names regardless of the order of name parts entered; (6) are searches for organization names processed identically to searches for individuals.

²² Lait, A.J and Randell, B. "An Assessment of Name Matching Algorithms," *University of Newcastle upon Tyne*, (1996)
<http://homepages.cs.ncl.ac.uk/brian.randell/Genealogy/NameMatching.pdf> (accessed October 31, 2007).

²³ Stainer, Alan. "How Accurate is Soundex Matching?", *Computers in Genealogy*, March 1990: 286-288.

In March 2007, at the request of Associate Deputy Director of FBI and with the sponsorship of Assistant Director of RMD, a review of the need for improvement in the automation of the NNCP was undertaken. An individual from the FBI's Special Technologies and Applications Office (STAO) reviewed the name check process and provided the results to RMD. The June 2007 internal FBI communication expressed concern regarding the accuracy of the Soundex-based name matching tool. The communication referenced one of the previously mentioned studies and concluded that:

The UNI system should be replaced by one which applies culture specific matching criterion, automatic application of linguistic rules based on culture/language context, be noise tolerant [typographical errors], recognize equivalent but dissimilar name variants, include statistical and probabilistic search aids, and support syntactic flexibility.

Given that no testing has been performed on the FBI's Soundex phonetic algorithm to determine its effectiveness, accuracy, and reliability, especially when matched against foreign names, we cannot determine if the FBI's modified phonetic Soundex tool accurately returns potential name matches. Based on the above-mentioned studies of other Soundex algorithms, we believe there is a high risk that the FBI's Soundex algorithm does not accurately return potential name matches. Consequently, we recommend that the FBI implement procedures to periodically test and update its name matching phonetic search tools at the same time it seeks to develop a new name check system.

Other Organizations Incorporating Name Search Automation. In the fall of 2007, the TSC began testing a combination of phonetic-based systems designed to address many of the transliteration and cultural permutation issues facing the identity matching community. The TSC approach contains three phonetic search tools, including one designed to match Arabic names. Once subject information is entered into the system, the subject is queried using all three tools. Each tool individually ranks the potential matches according to how close they match the input data. The potential matches are combined into one output that provides the user with a weighted ranking of potential matches that can be used to prioritize adjudications. In addition, each tool is tuned to only return results that meet a certain pre-determined threshold. This threshold can be tuned and updated depending on the agency's needs. For example, the agency may decide that results ranked below 75 percent are not accurate enough to warrant review. Therefore, the threshold may be set to not return matches below 75 percent.

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TSC officials and their contractors explained to us that the goal of this system was not to return all possible results, but only to return those most likely to be matches. In its initial testing of the system using a pre-determined set of data, the TSC was able to tune the system to produce results with the fewest false positives and false negatives, leaving the reviewer with less data to search. By searching a subject using three different tools instead of one, the TSC increases the likelihood that all potential matches will be captured.

After testing their system, TSC officials told us that it provides three times more effective search capability than its previous system for identifying potential true identity matches. Testing of the new system found that potential matches increased from 19 to 59. TSC analysts are currently using the mix of search engines to identify potential matches in the TSC Database. To build the most flexibility into its search system, the TSC designed the system to be a plug-in system, allowing the TSC to update, add, and change the search engine tools as necessary.

Since the mid-1990s, the DOS has developed several cultural and linguistic based algorithms to perform name searches. Like the TSC, DOS officials noted that their algorithms are constantly being updated and refined based on field-user experience and requests. The algorithms used by DOS are tested against a known real database before being implemented, allowing DOS to set parameters for returned results. DOS tested and updated its algorithms after the September 11 attacks using data from an Arabic phonebook to ensure the effectiveness of its Arabic name search tool.

When compared to other identity matching search tools on the market that address the cultural and linguistic issues noted above, the FBI's Soundex-based search tools are technologically outdated. The FBI's current tools can neither address the cultural and linguistic issues previously noted, nor be tuned to provide a ranking of results. This results in a heavy reliance on the individual analyst to identify cultural permutations or variations in order to obtain all potential matches. In addition, by not providing name search analysts with a ranked result of potential matches, name search analysts may be sorting through an unnecessary amount of false positives.

We believe that the FBI's reliance on its custom Soundex algorithm to find phonetic name matches, without any quality assurance testing, places the FBI at a high risk of not producing accurate search results. We recommend the FBI explore other available phonetic search tools to work in conjunction with or as a replacement to its current Soundex-based algorithm.

Federal Identity Matching Working Group. The TSC helped charter a Federal Identity Matching Working Group in 2006 comprised of 14 agencies within the intelligence community to “establish a voluntary guideline for Federal agencies using identity matching search engine technology” and to “provide agencies with a guideline for establishing a performance metric indicating how effective the searching is being carried out.” Members of this working group, which include the Central Intelligence Agency (CIA) and the U.S. Department of Defense (DOD), are testing their own search tools to determine their capabilities in comparison to the rest of the federal identity matching community.

The FBI is represented on the working group by officials from its Counterterrorism Division (CTD), but there is no NNCP representation on the working group. We believe it is important that NNCP interact with other agencies in the federal identity matching community in order to stay current on the trends and developing technologies. As a section within the FBI using identity matching search technology and providing this service to other federal agencies, we recommend the NNCP participate fully in the work of the federal identity matching community.

Integrating the Name Check Process into Sentinel

In addition to upgrading its name matching tools, the FBI also needs to ensure that its development of a new case management system and search tools serve the needs of the NNCP. In December 2006, an OIG audit report noted that the implementation of the FBI’s new investigative case management system, Sentinel, will require changes to the FBI’s name check system and estimated the cost of updating the existing name check system to work with Sentinel would exceed \$10 million.²⁴ We reviewed a communication between the NNCP and the FBI’s Information and Technology Branch (ITB) that confirms Sentinel may provide multiple capabilities that benefit the NNCP. However, several NNCP functions will not be covered by Sentinel. Until the Sentinel project advances to the phase when the NNCP will be addressed, the ITB has directed the NNCP to move forward with an action plan for a new name check system that the ITB will review to separate requirements for a new NCP application and those met by other IT assets.

²⁴ U.S. Department of Justice Office of the Inspector General, *Sentinel Audit II: Status of the Federal Bureau of Investigation’s Case Management System*, Audit Report 07-03 (December 2006), 19.

The ITB stated that it is developing a joint search engine to access data stored electronically throughout the FBI's repositories, including the UNI case file information searched by the NNCP. This new effort utilizes the FBI's Information Portal (IP), an enterprise class platform currently under development that may be capable of integration into Sentinel. As a major component of the FBI's information technology (IT) modernization project, Sentinel will replace the FBI's legacy Automated Case Support (ACS) system. The NNCP currently uses ACS to report all pertinent and derogatory information known to the FBI about a search subject. In addition, the Name Check Program (NCP) mainframe application is utilized by name check analysts to acquire name check subjects, search FBI databases, and close completed name checks residing in ACS.²⁵ The FBI anticipates piloting the IP in early FY 2009 with the objective of bringing a new federated search capability to the FBI. If this new technology meets expectations, the FBI believes that it may serve as a foundation for a new name search tool.

The NNCP's Business Operations Support Unit (BOSU) is concurrently reviewing the NNCP's needs for developing new technology for a "Next Generation NNCP." BOSU officials told us that while they are in contact with the ITB and are following the ITB's life-cycle management directives for developing new technology, they stated that the process of incorporating new technology is "painfully slow" and that they are not yet ready to discuss specifics with Sentinel program representatives. We discussed the impact of Sentinel with name check managers, but they could not explain how Sentinel will impact and improve the name check process. Therefore, we recommend that the FBI ITB and NNCP engage in close and continuing interaction to ensure that the interim and long-term technology efforts modernize the FBI's name matching capability.

Name Check Technological Enhancements

Due to the backlog of unprocessed name checks, the NNCP has been exploring automated solutions to speed up the ability of analysts to review and process name check requests. In FY 2004, the NNCP implemented a stand-alone database known as the Name Check Dissemination Database (NCDD) to manage all documentation compiled during the name check process so analysts do not have to recreate a name check if the name is resubmitted, and provide access to scanned FBI files that analysts identified as relating to a name check subject. These are functions that the NCP mainframe application cannot perform. In addition, the NNCP is exploring

²⁵ The FBI NCP mainframe application is the official application of record for the NNCP, and a component of the FBI's Automated Case Support (ACS) system. All incoming and closeout name checks must be processed through NCP for an official count.

the use of Content Analyst software to assist in searching and sorting case file text. As discussed below, although the NNCP recognizes the need to automate name check processes these IT enhancements have not improved the NNCP's efficiency.

Name Check Dissemination Database (NCDD). FBI officials have promoted the NCDD as a critical tool for tracking the name check process. However, the NCDD is an autonomous application that does not automatically synchronize with the NCP mainframe application. In order to update work queues in NCDD for each analyst, an NCP mainframe data file must be loaded into the NCDD daily. However, the data synchronization is unidirectional; that is, any work conducted within the NCDD, such as a closeout on a completed and disseminated name check, is not fed back into the NCP automatically.²⁶ Because the NCDD is not a fully integrated application in the work flow, many analysts told us that the NCDD creates a duplicative work step in the name check process.

In addition, although the FBI issued an NCDD User Guide in November 2006, the guide does not include instructions regarding the use of NCDD for how documents should be recorded, retained, and tracked. Many analysts circumvent the NCDD's electronic inventory functions and establish their own method for tracking pending workload and retaining hardcopy files of all outgoing communications, including the LHMs sent to customer agencies and the Electronic Communications (EC)s and e-mails sent to FBI field divisions. The inconsistent use of NCDD raises the risk of procedural steps being missed, documentation being lost, and pending checks being delayed.

We also found access and inoperability issues between the NCDD and T Drive, which is the central repository for RMD's scanned documentation. Twenty-four percent of analysts we interviewed indicated that they often experience complications in locating scanned files on the T Drive, while 44 percent of analysts either did not have access to files stored on the T Drive at the time of our interview or were unsure whether they had access. We spoke with RMD personnel in both NNCP and Document Conversion Laboratory (DocLab), as well as FBI programmers responsible for NCDD.²⁷ They indicated that complications with the T Drive are caused by errors in

²⁶ The analyst must manually log back into the NCP application and close out the name check in the NCP. A name check that is completed through NCDD will remain open until the analyst marks the closeout in the NCP application.

²⁷ To provide analysts with electronic versions of files, and to facilitate the name check process, RMD provides document scanning services through the Document Conversion Laboratory (DocLab). Once documents are scanned, the files are uploaded to the T Drive.

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NCDD's mapping of the T Drive directory structure and improper training. Because it is preferred that analysts access the T Drive through the NCDD, such interoperability and training issues significantly impede an analyst's ability to access necessary FBI files, review the files for pertinent and derogatory information, and disseminate the information in a timely manner to the customer agency. We were told by NNCP that an NNCP technical team is attempting to resolve the T Drive NCDD mapping issue.

The FBI needs to track and maintain all documentation in a uniform and centralized manner so that it is easily accessible. In addition, prompt and reliable access to scanned case file data through the NCDD is a key element in the timely completion of name checks. We recommend the FBI develop instructions and additional training for analysts regarding the use of NCDD, and that the NNCP immediately resolve the directory mapping issues between the T Drive and the NCDD.

Content Analyst. In order to complete a name check, NNCP first identifies what case files may have information relative to the name check subject. Then an analyst reviews each case file for any pertinent and derogatory information. Each case file may contain numerous documents and require the analyst to review significant amounts of data. In order to improve productivity, the NNCP sought to purchase and evaluate the Content Analyst software package in December 2006 to provide analysts with the capability to search for specific text in documentation related to the search subject.²⁸ We interviewed NNCP management, analysts, and personnel from BOSU to determine how Content Analyst would be integrated into the name check process. Several personnel, including NNCP management officials, could not specify how Content Analyst would be used or the software's specific functions. One NNCP official indicated that the NNCP is not certain of the capabilities Content Analyst can provide. A planned demonstration of Content Analyst in October 2007 did not occur due to FBI technology limitations.²⁹ FBI managers also stated that the effort "stalled" while attention was focused on other initiatives.

²⁸ The developmental and testing cost of Content Analyst totals \$277,625. Two Content Analyst textual analysis software packages were purchased in May 2007 for a total cost of \$186,000. Consultation and configuration services associated with the set-up, installation, and testing of Content Analyst were purchased between March and August 2007 for \$91,625.

²⁹ The FBI encountered administrative challenges acquiring information technology servers to operate Content Analyst. A January 2008 vendor dispute inhibited the FBI from procuring new servers and the server loaned by ITOD did not maintain the required operating system to conduct a software proof-of-concept. As of March 2008, BOSU had yet to receive a Content Analyst demonstration to determine what benefits the software may provide the name check process.

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The NNCP characterized the purchase of the software as an effort to educate itself about the product. However, it took the FBI over a year, from the time it initiated the procurement, to test the software and learn that it is not compatible with its current applications. In addition, BOSU personnel stated that the Content Analyst software requires that the documentation it analyzes have recognizable text. We confirmed the text requirement by reviewing supporting documentation from the Content Analyst developer. However, prior to October 2007 files scanned to the T Drive were only available as images in Tagged Image File Formatting (TIFF), which is incapable of allowing analysts to electronically search the file text.³⁰ An NNCP manager stated that the software package was provided to the ITB for evaluation to determine if it will be compatible with a new, more efficient name check workflow process.

Continued Dependence on Human Resources

As of March 2008, the NNCP had 371 employees and contractors working on name checks.³¹ Since November 2007, the NNCP experienced almost a 30-percent increase in staffing. NNCP managers told us they needed additional personnel to: (1) eliminate the current backlog of USCIS name checks, (2) continue production on increasing numbers of name checks from all customers, and (3) work on completing all name checks within 30 to 60 days.³² The NNCP projects that 195 FBI personnel and 402 contractors will be employed by the end of FY 2008, an increase of more than 300 personnel since November 2007.

Although NNCP management is focused on reducing the backlog through increased production, NNCP officials told us that quality remains the program's primary objective throughout all phases of the process. With the large influx of new personnel, we are concerned that a high potential for

³⁰ To provide NNCP with searchable text data, DocLab began using optical character recognition (OCR) to produce a text file with each document image. In addition to producing OCR-enabled files, DocLab is also working to backscan document images already on the T Drive to make corresponding text files available for search. The FBI's collection of scanned documentation consists of 8 to 10 million files. The FBI estimates that it will complete OCR scanning on image files in May 2008, if all resources are exclusively directed to the project. The FBI hopes to increase the speed of the scanning by adding new scanning technology.

³¹ The RMD also utilizes 38 employees from Information Technology Centers (ITC) in Butte, Montana, and Savannah, Georgia, to assist in name search and dissemination activities.

³² Of the total personnel, 38 FBI employees and 189 contractors are dedicated to USCIS submissions.

error exists by analysts and supervisors due to limited training, supervision, quality control measures, and recently implemented production measures.

At our audit closeout meetings, FBI managers stated that short-term training, supervision, and quality assurance issues were experienced due to the NNCP's rapid expansion. NNCP officials stated that new employees and contractors receive classroom, on-the-job, and supplemental training to correct common performance problems. We were also informed that a new organizational structure is in the final stages of approval, and that structure will reduce the span of control to acceptable supervisor-to-staff ratios and feature a Training and Quality Assurance unit.

Training

Personnel who conduct name checks must be properly trained in the technology used by the NNCP, the judgment process used to determine HITs or IDENTs, and procedures for disseminating information.³³ In early FY 2008, the NNCP updated its Name Search and Dissemination training program for new employees.³⁴ However, our review of the training for name check analysts indicates that classroom instructors are not provided specific training objectives or goals by NNCP management. This results in instructors not following a set training program with standardized requirements. In addition, we found that employees were provided different training manuals based on their training date, and we could not obtain a uniform set of training materials or communications from analysts serving in the same position.

Although classroom training for new name check analysts included examples of name searches and activities, there is little explanation given to assist employees in weighing identifiers for determining the difference between a HIT or IDENT.³⁵ Furthermore, the training does not provide any instruction on cultural or name linguistics, a topic that would be beneficial to analysts searching for names in FBI case files. We note that the DOS provides its analysts with extensive name searching training and provides its employees with cultural and linguistic information to aid them in performing their searching and reviewing activities.

³³ Names that have potential information are marked "HIT," while subjects that match the names and other identifying data such as date of birth and social security number are marked as "IDENT."

³⁴ The File Review Phase training program consists of on-the-job training.

³⁵ Identifiers used to match name check submissions to FBI files include date of birth, locality, social security number, and name spelling. During our audit, we noted that name check analysts weighed identifiers differently during their case file analysis.

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Moreover, new NNCP employees we interviewed did not have individual access to any NNCP systems during their classroom training. These systems, including NCP and NCDD, are essential tools used to complete name checks. While instructors used hardcopy examples to walk students through the exercises, students have very limited instruction on NCP and NCDD during their classroom instruction. Instructors called students up one at a time to perform name searches on the single computer in the room logged into NCP. Of the 18 contractors we interviewed in Winchester, many noted that the availability of access to NNCP systems, or even a mock system for use during training, would provide hands-on skill development and would have been beneficial.

In addition, no annual or recurring job-related training is required for name check analysts. The importance of recurring training opportunities is highlighted by the NNCP's implementation of the Super Filter. As previously discussed, FBI management entered into an agreement with the USCIS to identify or flag case files that the FBI and USCIS deemed not pertinent for USCIS adjudicative purposes. However, we found that several analysts involved in the name check process were unaware of the initiative. Though FBI officials state that e-mail correspondence detailed the filtering initiative, some analysts stated that they "wasted time" reviewing several case files that were flagged because they were not told by management to disregard such files. Other name check analysts and supervisors stated that they were confused by the initiative and continued to search the identified files due to the presence of pertinent and derogatory information within the file.³⁶ Moreover, personnel performing dissemination functions explained that they were not provided clear instructions by management about what data the USCIS considers pertinent and derogatory. Analysts added that they considered it appropriate to continue reviewing the flagged files to ensure that high-quality name checks were being performed. With proper training and follow-up from management to ensure effective implementation, name check analysts could have better understood why the filter was in place, and not wasted time reviewing and providing non-pertinent information to the USCIS.

³⁶ Files flagged by the USCIS because they do not contain pertinent and derogatory information for USCIS adjudication purposes may still contain pertinent or derogatory criminal history information as determined by the FBI. As previously noted, each name check customer agency determines what case file information is pertinent for its internal purposes.

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Without comprehensive training opportunities, the FBI cannot expect its analysts to complete name checks in an accurate and timely manner. In light of the training deficiencies, we recommend that the NNCP develop a formal training curriculum and recurring instruction to ensure that each name check analyst is provided with a consistent skill set. Recurring training offers the ability to refresh name check analyst skills, enforce uniform name check procedures, and communicate name check policies that affect production. In addition, we believe that failing to provide students access to the systems during training inhibits new hires from learning the systems necessary for name search production as highlighted in the discussion on the NCDD. Thus, we recommend the FBI explore providing system access opportunities to new hires during name search and dissemination training.

Supervision

When the NNCP hired a large influx of new personnel in FYs 2007 and 2008, it did not proportionally increase the number of supervisors to manage these new employees and review analysts' work. We found that while the NNCP's March 2008 business plan establishes an FBI reviewer to contractor ratio of about 15 to 1, we could not verify the actual ratio due to a lack of human resource information from NNCP. According to the NNCP, the time required to train an analyst to full production level is about 4 months. Therefore, the new analysts and contractors require experienced FBI staff to train, evaluate, guide, and provide technical supervision and approvals.

During our audit, name check personnel and their supervisors were divided between facilities in Winchester, Virginia, and Washington, D.C. Supervisors not located at the Winchester facility made weekly site visits to review contractor work, attend meetings, and fulfill other responsibilities on-site. We were told by the personnel reporting to supervisors not located at the Winchester facility that it was difficult to complete name checks without immediate review and feedback from a permanent on-site supervisor. Although analysts were instructed to ask their supervisors for assistance, some analysts expressed hesitation to do so due to their supervisor's limited time on-site. Analysts said they were concerned that these supervisors were not readily available to answer questions or provide feedback and instruction.

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NNCP supervisors told us that they are overwhelmed by the number of name checks they must review. One FBI supervisor at Winchester told us that although new hires had gone through training, she found errors in a vast majority of the work she reviewed. Another supervisor told us that she only had time to correct mistakes, not go back and show the analyst what was wrong.

In an effort to reduce the amount of review supervisors need to perform, NNCP management has asked non-supervisory FBI staff to assist in the review of name checks completed by contractors. While this procedure assists with oversight of contractors' work, it limits the ability of on-site FBI employees to perform their regular name check functions. In addition, we found that several FBI employees with less than 1 year of experience had been designated as the primary lead for questions from contractors and we are concerned that employees with limited name check experience are advising and in some cases reviewing the work of new employees.

We discussed these issues with RMD officials who said they were aware of the situation. RMD officials stated that they are seeking to reduce the number of questions to FBI supervisory analysts so supervisors can focus primarily on name check review and production. To do so, the NNCP is asking that new contractors refer their inquiries to more experienced contractors or a designated non-supervisory FBI analyst. RMD officials stated that they will continue to require that all name checks disseminated to customer agencies with pertinent and derogatory data be reviewed by FBI supervisors. In the long run, RMD officials say they plan to transition NNCP personnel in Washington to the Interim Central Records Complex (ICRC) in Winchester prior to the eventual relocation of all name check personnel to the Central Records Complex (CRC) by the end of March 2011. To mitigate short-term concerns regarding the NNCP's ability to supervise the influx of new employees, we recommend that the NNCP review its supervisor-to-staff ratio and develop a plan for immediately increasing the permanent supervisory presence at the Winchester facility.

Quality Assurance Program

We also reviewed the quality assurance steps taken for the Name Search, File Review, and Dissemination phases of the name check process.³⁷ We found that the NNCP has not provided formal guidance or procedures to supervisors to govern quality assurance for any step of the name check process. In addition, NNCP management does not maintain a quality assurance committee or otherwise oversee the quality assurance process. Although operational supervisors perform quality assurance reviews of work performed by new analysts, no consistent or regular quality review occurs once an employee exhibits proficient work.³⁸

In our judgment, limited quality assurance reviews, coupled with the previously noted technological, training, and supervisory concerns increase the risk of errors in the name check process. RMD management conducts reviews of all LHMs sent to customer agencies, but also emphasized that given the volume of name checks, it would be impossible to perform quality assurance reviews on 100 percent of all other name check work. Nevertheless, we recommend that the NNCP develop and implement quality assurance measures and guidance for all steps of the name check process.

Name Check Production Measurement Challenges

NNCP managers stated that they recognize the value of establishing measures to accomplish goals and ensure organizational effectiveness. For several years, the NNCP has imposed production metrics in the Name Search and File Review phases of the name check process, phases with less analytical activity and more production oriented outcomes. However, contractors were the only personnel performing name checks who were held to production metrics in FY 2007. According to the NNCP, each contractor is required to process 140 name checks per month. In February 2008, NNCP managers began implementing name check production metrics for FBI analysts based on the complexity of the name check assignments and the grade level of the analysts.

³⁷ As discussed in the "Integrating Technology into the Name Check Process" section of this report, the FBI has not performed significant or regular quality assurance on its name matching search tools. According to FBI ITOD officials, no testing has been performed on the FBI's Soundex phonetic algorithm to determine its effectiveness, accuracy, and reliability, especially when matched against foreign names. As a result, we could not determine if the FBI's modified phonetic Soundex tool accurately returns potential name matches.

³⁸ See Appendix VI for a discussion of the quality assurance reviews implemented by each name check phase.

An NNCP manager stated that they were cautious to implement production metrics due to the unique nature of each name submission and the variables that impact name check production.³⁹ For example, according to NNCP managers the primary impediment to establishing production metrics is the uncertainty of how long it generally takes to complete a name check. Although NNCP officials estimate that three to four USCIS name submissions can be completed per day by a single analyst, this projection could not be confirmed because the NNCP does not track the specific work performance of FBI or contract personnel.⁴⁰

Despite the NNCP's recent efforts to implement production measurements, we question the accuracy and reliability of the recently enacted metrics. The primary objective of the NNCP metrics is to identify the total number of name checks closed, completed, and disseminated by analysts. Without reliable data inputs, including the total number of name checks received and completed, management cannot properly assess, interpret, and manage results, and the FBI runs the risk of not hiring enough personnel to meet the demands of increasing customer submissions.⁴¹ Therefore, we recommend that the NNCP develop and implement a reliable name check submission and completion tracking function so that it can monitor its name check production activities. We also recommend that the NNCP develop plans for reevaluating production metrics on a periodic basis to appropriately evaluate staff production efforts.

Conclusion

Despite the increased demand for its services, the NNCP's methods for providing name check information rely on outdated and inefficient technology, and depend heavily on manual efforts to process name check submissions. We identified deficiencies with the technology utilized by the NNCP, as well as its plans for integrating new technology into the name check process. Among these deficiencies, we noted that the NNCP continues to rely upon an outdated phonetic name matching algorithm that can result

³⁹ Variables that may impact name check production include the location of the submission within the processing queue, the workload of analysts, the volume of expedite submissions, the number of potential matches associated with a submission, the location of hardcopy files associated with a submission, and the availability of staff and resources.

⁴⁰ Several FBI contractors indicate that they maintain informal tracking of their daily time and name check production that is provided to a non-FBI contracting official on a periodic basis. The FBI does not maintain records of contractor hours for measurement purposes.

⁴¹ As discussed in Finding II and Appendix V, the NNCP does not maintain an accurate system for tracking name checks.

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in a high volume of false negatives and false positives in the name check process. In addition, the NNCP has not ensured the full utilization of NCDD.

The impact of NNCP's technological shortcomings on name check production and efficiency is exacerbated by shortcomings in the management of NNCP's human resources. We determined that the NNCP's training of name check analysts is inconsistent, infrequent, and inadequate. Furthermore, we noted a scarcity of experienced supervisory staff available to coach and review the work of numerous contractors who the FBI hired to boost production. These deficiencies increase the likelihood that name checks are conducted using inconsistent procedures, impacting the overall quality and potentially the accuracy of name check work. NNCP supervisors are also unable to effectively implement name check production metrics because of the lack of a consistent name check tracking system, and NNCP has not implemented a comprehensive quality assurance process. These deficiencies are of concern given the large investment in terms of human capital that is being used to reduce the NNCP's backlog.

Recommendations

We recommend that the FBI:

1. Implement procedures to periodically test and update its name matching phonetic search tools.
2. Explore other phonetic search tools to work in conjunction with or as a replacement for its current Soundex-based algorithm.
3. Ensure that the NNCP participates fully in the work of the federal identity matching community.
4. Ensure that the NNCP coordinate closely with the ITB to assure that interim and long-term technology efforts modernize the FBI's name matching capability.
5. Develop standardized instructions and training for analysts regarding the use of the NCDD.
6. Immediately resolve the directory mapping issues between the T Drive and the NCDD.

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7. Develop and implement a formal curriculum that includes job-related annual or recurring training to enhance process consistency and program continuity.
8. Explore providing system access opportunities to new hires during name search and dissemination training.
9. Review supervisor-to-staff ratio, and develop a plan for immediately increasing the supervisory presence at the Winchester facility.
10. Develop and implement quality assurance measures and guidance for all steps of the name check process.
11. Develop and implement a reliable name check submission and completion tracking function so that NNCP can effectively monitor its name check production activities.
12. Develop plans for reevaluating production metrics on a periodic basis to appropriately evaluate personnel production.

II. NAME CHECK MONITORING AND PROGRAM IMPROVEMENTS

Due in part to limited automation, NNCP management is unable to appropriately measure and monitor name check workflow. The lack of an effective measurement and tracking system delays name check processing and hinders the NNCP's interaction with customer agencies and FBI field divisions. Valid and reliable production statistics are necessary for the NNCP to adjust staffing levels in response to incoming name check volume, corroborate incoming submissions with customer agency submissions, and keep FBI contributing divisions informed on requirements, policies, and deadlines. While FBI officials stated that their long-term objective is to implement a largely automated name check process, we found that the FBI did not raise its name check user fees for 17 years, resulting in lost opportunities to enhance its automated systems and the NNCP's staffing levels. In addition, NNCP is working without a well-defined business plan to guide its automation, work flow, staffing, fee structure, communications, and program improvements.

Monitoring Workflow

An essential component to ensuring timely name checks is measuring and monitoring the name check workflow process. NNCP management recognizes that deficiencies in program monitoring hinder its ability to assess production trends, and officials repeatedly emphasized that technology limitations prevent them from developing advanced performance measurements without time-consuming manual data retrieval from the FBI's Information Technology Operations Division (ITOD).

During our audit, NNCP officials were refining a customized production model to consolidate several measurements captured by the Name Check Program (NCP) mainframe application. NNCP officials stated that the model will aid management in monitoring name check production by capturing the number of customer submissions received, in progress, and completed; the name check phase where submissions are located; and the rate of processing by FBI and contract personnel. Subsequent to our audit, NNCP managers informed us that the model is in use and providing the basis for forecasted and actual name check production. Nevertheless, even if the new production model provide results that accurately reflect data in the NCP mainframe application, the resulting information may be questionable due to the reliability of the underlying data. For example, during our audit we

noted that NNCP management was unable to measure and monitor name check workflow due to limitations in its automated systems to accumulate production statistics and inadequate tracking mechanisms to account for expedited name check requests and field division file reviews.

Name Check Production Statistics

During our audit, we requested several measurements associated with name check production. In many cases, NNCP management could not provide specific reports on the incoming work, such as the number of high priority requests (expedites) versus routine requests and the status of name check requests from FBI field divisions. According to a mission needs statement dated December 2005, an internal assessment completed in June 2007, and an external assessment completed in December 2007, the reliability of NNCP tracking and reporting are constantly suspect, and the NNCP systems do not offer proper management controls or reporting options on efficiency and effectiveness due in part to multiple stand-alone systems and databases that are not always synchronized. In addition, for the information that was provided, we compared various data sources from the FBI to determine its reliability, and found inconsistencies that led us to doubt the accuracy and validity of production data being used for current production statistics. Valid and reliable production statistics would allow the FBI to adjust staffing levels in response to incoming name check volume, and corroborate incoming submissions with customer agency submissions.

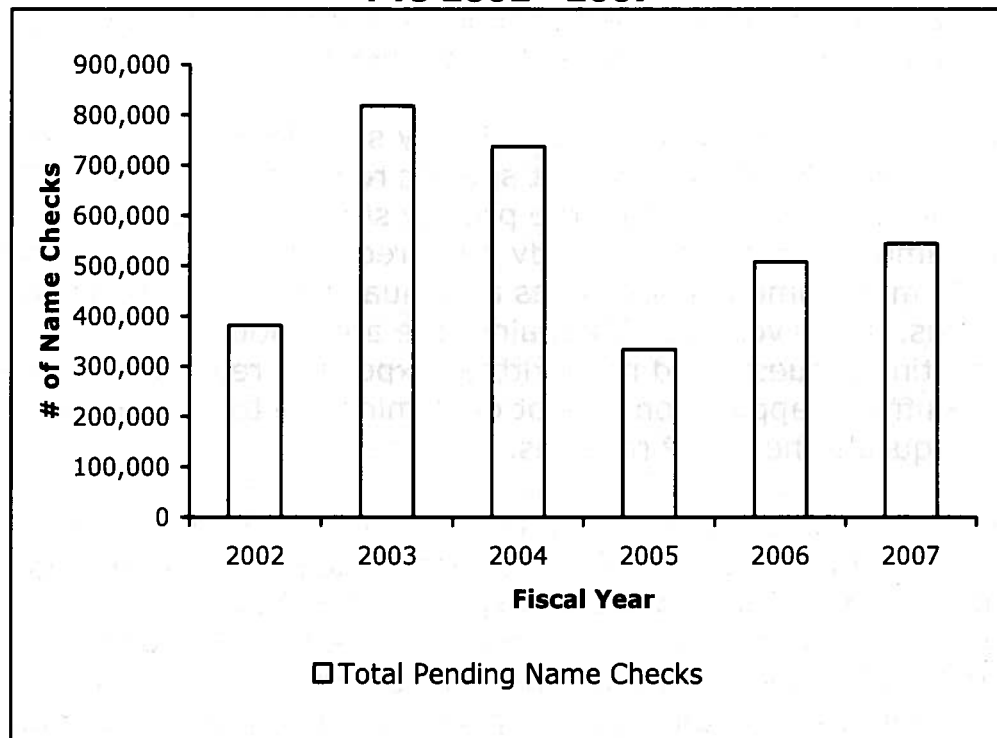
Prior to FY 2006, NNCP managers lacked access to necessary name check production reports. However, with cooperation from ITOD, the NNCP now receives data via an FBI Intranet report function.⁴² Although NNCP management now has access to necessary production reports, it still lacks the capability to accurately produce, analyze, and report certain name check production measurements. For example, according to the December 2007 external assessment, NNCP does not have automated real-time performance metrics for new versus trained personnel, and managers must create custom tracking reports using spreadsheets and other tools to create metrics for decision making and to manage workloads. In addition, the NCP mainframe application cannot group analysts by name check unit or contractor to

⁴² The Intranet provides data from the FBI NCP mainframe application. The Intranet, however, is not interoperable with the NCP mainframe and must be updated periodically with changes to the mainframe data. Appendix V discusses the reports the NNCP can now obtain and the reasons we do not believe the data is reliable.

determine the production volume by specific groups.⁴³ The NNCP also cannot automatically: (1) report where a particular name check is in the processing queue, and (2) target and evaluate individual name checks by the phases subsequent to the Batch Run. Without such discreet measurements, NNCP management is limited in its ability to develop effective backlog reduction plans.

As displayed in Table 10, the FBI reduced the backlog of name check requests in FYs 2004 and 2005, but the pending number of name checks increased in FYs 2006 and 2007.

**TABLE 10: Total Customer Submissions Pending
FYs 2002 –2007**



Source: FBI NNCP

Tracking Requests for Expedited Name Checks

Name check requests are received from customer agencies in various formats, including an automated secure network portal, magnetic tape, or manual hardcopy such as a request by e-mail, facsimile, letter, or telephone. While a majority of USCIS requests are routine and submitted via magnetic tape, if USCIS wants the name check expedited it generally sends a facsimile

⁴³ NCDD can produce reports depicting volume by team. However, this information is based on archived data from the NCP mainframe application that are periodically uploaded into NCDD.

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to a specific individual at the NNCP who determines if the name check is already in the NCP mainframe application. USCIS will request expedited name checks for various reasons including medical emergency, military deployment, or loss of Social Security Benefits.

A request for an expedited name check is considered a top priority and is generally sent to the front of the name check processing queue with other priority submissions. However, moving a name check request to the front of the queue does not mean the request will necessarily be completed before other name check requests. The completion of name checks is dependent upon numerous factors including the number of FBI files that need reviewing, the location of the files, and whether the file referenced is in an on-going investigation or the information in the file comes from a third party (another agency). The NNCP tries to limit the number of requests for expedited name checks by USCIS to 100 per week.

If USCIS is requesting that a previously submitted name check be expedited, the NNCP will identify that specific request within the NCP mainframe application and adjust the priority status accordingly. If the expedited name check has not already been requested, it must be entered into the NCP mainframe application as a manual request with appropriate priority status. However, the NCP mainframe application cannot distinguish between routine requests and reprioritized expedited requests. Therefore, the NCP mainframe application cannot determine the total number of expedited requests the NNCP receives.

Prior to June 2007, the analyst receiving expedited submissions did not track reprioritized customer submissions because it was not required by NNCP management. Concerned that expedited USCIS name checks were not being received by the NNCP, in June 2007 the USCIS began requesting a periodic listing of USCIS expedite submissions received by the NNCP. In an attempt to verify the accounting for expedite submissions, we compared the submission volume from June to September 2007 and determined that the NNCP analyst calculated more expedited USCIS name check submissions – 1,495 for 4 months – than the 374 manual submissions identified in the NCP mainframe application for the entire fiscal year.⁴⁴

⁴⁴ Further, the NNCP indicated that between October and November 2007 several changes in the USCIS personnel responsible for sending USCIS expedite name checks to the NNCP created confusion in calculating the volume of USCIS expedited name check requests. The NNCP is working to resolve the matter and account for name checks submitted during that time period.

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Expedite submissions are considered a priority for customer agencies such as the USCIS. Therefore, the NNCP should ensure the NCP mainframe application can identify and account for expedited submissions. Additionally, although the NNCP now tracks reprioritized expedited USCIS submissions in a spreadsheet, it does not track reprioritized expedite submissions from other customer agencies. We recommend that the NNCP work with customer agencies and develop a formal mechanism to receive and monitor expedite submissions.

Field Division File Reviews

The NNCP's difficulty in tracking the status of name check submissions also delays name check processing when a pertinent file is located in one of the FBI's 265 worldwide field office locations. When sending a name check request to an FBI field division for file review, an NNCP analyst may send an e-mail, an Electronic Communication (EC), or call the field division's point of contact (POC). ECs are tracked in the FBI's Automated Case Support (ACS) system, which records the date the request was uploaded, assigned, and closed. However, during our audit file review requests made by telephone and e-mail were not consistently tracked or recorded by the NNCP. In cases where derogatory information on the subject is identified, a field division reviewer will send an LHM to the NNCP analyst for dissemination to the customer agency. We discussed and observed the field division file review request process with NNCP personnel in Winchester, Virginia, and were told that field division responses delay the NNCP in completing name check requests. The NNCP, however, could not quantify these delays.

In FY 2007, 7,222 ECs were assigned to field divisions and Legal Attaché offices for NNCP file reviews. We reviewed EC activity from FBI field divisions located in San Francisco, Los Angeles, New York, Miami, and Washington, D.C. These field divisions comprised almost 40 percent of all ECs assigned by NNCP in FY 2007 and were identified by NNCP personnel as being slow responding field divisions.⁴⁵ We tested a total sample of 296 ECs and found that 42 percent were closed after the deadline. This resulted in requests being on average 11 days late, as shown in Table 11:

⁴⁵ Telephone and e-mail field division file review requests were not consistently tracked or recorded by NNCP and therefore could not be used in testing. Therefore, it is impossible to determine how many requests were submitted via e-mail or telephone and if these requests delay the name check process.

TABLE 11: Timeliness

Field Divisions	Percentage of Sample Late (All Customer Agencies)	Average Number of Days Late
Washington, D.C.	64	24
New York	33	2
Miami	57	14
Los Angeles	45	10
San Francisco	12	4
Total	42	11

Source: OIG testing of ECs provided by FBI Field Divisions

As mentioned previously, NNCP officials have a 30-day goal for processing all name check requests. Our testing revealed that the NNCP tried adhering to this goal by establishing deadlines for field divisions to respond to NNCP file review requests. However, we noted that deadlines were inconsistent across field divisions and customer agencies. Therefore, we believe it is misleading to generalize that field divisions delay name check processing. As shown in Table 12, our testing found that field divisions had an average of 26 days to complete a USCIS name check request, 22 days to complete an OPM request, 59 days to complete a Central Intelligence Agency (CIA) request, and 20 days to complete a U.S. Department of Energy (DOE) request. We noted that these deadlines also changed by field division. Washington, D.C. was given 28 days to complete a USCIS name check request, while New York was given 20 days and Los Angeles was given 30. These deadlines are not consistent with the NNCP's 30-day processing goal. Our review of the ECs also indicated several instances of short deadlines such as a few days, and we found two instances where the EC was assigned after the deadline date in ACS had already passed.

TABLE 12: Field Division Deadlines in Days

Field Divisions	Average Deadline (USCIS)	Average Deadline (OPM)	Average Deadline (CIA) ⁴⁶	Average Deadline (DOE)
Washington, D.C.	28	15	60	21
New York	20	11	N/A	22
Miami	27	20	60	21
Los Angeles	30	50	58	21
San Francisco	25	16	N/A	16
Total	26	22	59	20

Source: OIG Testing of ECs provided by FBI Field Divisions

⁴⁶ For the New York and San Francisco field divisions, the sample did not capture any requests from the CIA.

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Field division personnel told us they believed that the NNCP often sets unrealistic processing times. Three field divisions stated that their closed files are stored off site and take time to access. In addition, we were told by two field divisions that NNCP uploads ECs incorrectly. The POC at one field division told us that ECs had been uploaded to employees that were no longer with the field division, some of whom had been gone for an extensive period of time. We tested the processing time for the field divisions we sampled and found that field divisions took on average 32 days to complete a name check request. However, the time varies dramatically between field divisions, as noted in Table 13.

TABLE 13: Processing Times in Days

Field Division	Average Processing Time
Washington, D.C.	47
New York	22
Miami	40
Los Angeles	44
San Francisco	9
Total	32

Source: OIG Testing of ECs provided by FBI Field Divisions

While San Francisco had a dedicated person to handle NNCP requests, in many cases the person responsible for handling field division file review requests has other responsibilities and is assigned NNCP requests as an ancillary duty.

We also reviewed the POC list provided by the NNCP to its analysts, and determined that three field divisions had no POC and no contact information listed, while five other divisions lacked contact information for the POC. For one of our sampled field divisions, we were told that the POC listed on the sheet had left the FBI almost 2 years prior to our review. The POCs in our five sampled field divisions stated that the NNCP lacked a centralized POC for field divisions and none had regular contact with the NNCP. None of the field division POCs we interviewed had any name search or file review training or guidance. In fact, some POCs were not aware of how the name check process works.

From our discussions with the POCs at the five sampled field divisions, we determined that NNCP follow up on outstanding file review requests (lead) was infrequent and inconsistent. On the day we contacted one of the sampled field divisions (October 2007), the POC had received a phone call from the NNCP related to a request uploaded in February 2007. After researching the EC serial number in ACS, the POC determined that the lead

had not been assigned to the field division. The POC expressed frustration that it took almost 7 months for the NNCP to follow up on the request. At another field division, we were shown several pages of NNCP EC requests that had been assigned to the wrong person, and thus lingered unassigned in ACS having been uploaded to someone besides the POC. In some cases, the POC told us the ECs were assigned to persons no longer at the field division, and this POC did not know that these leads were outstanding or had been uploaded in the system. This same employee indicated that several months prior to our visit, the RMD had contacted the field division's Special Agent in Charge to determine the status of six name checks. The field division could find no record of leads set in ACS for the requests. Without regular and consistent follow up, we were told that field divisions unknowingly leave misassigned ECs in ACS, which delays the processing of the name check request. Given the considerable problems the field divisions face in processing name check requests, we cannot determine if delays are caused by the field divisions or the NNCP's processes. Therefore, we recommend the FBI develop guidelines for submitting field division file review requests and follow-up procedures. We also recommend that the NNCP identify a central point of contact for field divisions in order to improve communications.

NNCP Interaction with Customer Agencies

As a reimbursable program, NNCP officials must work with customer agencies to provide information that meets their needs. We met with officials from the USCIS, OPM, and DOS to determine how they interact with the NNCP, how they transmit and track name check submissions to the NNCP, and their level of satisfaction with NNCP's name check services. Each of the customers stated that the NNCP provides critical information that cannot be obtained through other means. This is particularly true for the USCIS, which despite long-delayed name checks, continues to value the NNCP's services.

OPM officials stated that they needed to play an active role in the name check process with the issuance in 2004 of Homeland Security Presidential Directive 12, which mandated background investigations for all federal employees and contractors, and a subsequent federal law that imposes limits on security clearance processing times for federal employment.⁴⁷ As a result, OPM in cooperation with the FBI designated an

⁴⁷ The Intelligence Reform and Terrorism Prevention Act (Pub. L. No. 108-458 (2004)) requires adjudicative agencies such as OPM to ultimately adjudicate applications within an average of 60 days.

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on-site official to oversee its name check requests at the NNCP. According to OPM, this resulted in an increase in NNCP's productivity for OPM's name checks by introducing a new way of transmitting name check requests via a secure portal, developing a new system to link the OPM requests to the FBI system, providing 31 contractors to perform OPM name checks, and tailoring the NNCP training to meet OPM needs.⁴⁸

FBI managers stated that they are now in touch with USCIS officials on a regular basis to discuss processing delays. As previously discussed, the resubmission of USCIS name checks in FY 2003 is one contributor to the NNCP's delays. With advance notice and planning, FBI officials said they may have been able to reduce the impact of the 2.7 million USCIS resubmissions on the name check workload. In addition, the USCIS received nearly 7 million applications or petitions for immigration benefits in FY 2007, including nearly 1.4 million petitions for naturalization. This record number of applications and petitions may be caused by applicants filing their applications and petitions to avoid a fee increase that went into effect on July 30, 2007. Given these trends, the FBI needs to adequately communicate with customers and plan for future surges in name check requests.

In contrast to NNCP managers, name check analysts have minimal to no contact with USCIS representatives outside of NNCP facilities in Washington, D.C. Therefore, if a question arises on a name check that could be resolved by acquiring additional information, NNCP personnel have generally deferred to NNCP supervisors who, as previously noted, were overwhelmed by the large number of new FBI employees and contractors. Given the success that OPM had with its on-site personnel, we recommend that the NNCP provide USCIS the opportunity to either maintain an on-site representative in the NNCP's Winchester, Virginia, facility to oversee USCIS name check requests or establish a dedicated central point of contact for NNCP analysts to contact for additional information.

Cost Recovery

During the audit, NNCP officials stated that its backlog of name checks is partially due to reliance on manual processes and that technological improvements could not be implemented due to a lack of funding. However, while the FBI is authorized to charge a fee for name checks and is required

⁴⁸ The new method of transmitting name check requests and responses is via a secure portal, which allows the FBI and OPM to transmit name checks through a shared interface, allowing OPM to match a name check response from the FBI with the original request. The secure portal eliminates "lost" requests that can occur with magnetic tape and reduced the number of OPM duplicate requests.

to reassess its fees biennially, the FBI did not revise the fees it charged for name checks until FY 2008, 17 years after the first fees were implemented.⁴⁹ Further, the FBI did not charge customers an authorized surcharge to fund FBI's technological enhancements. According to a senior FBI official, the FBI saw no reason to revise the NNCP's fee structure during the previous 17 years because it believed that resources were adequate to handle the workload. However, the FBI agrees that the NNCP was understaffed and is lacking in modern automation and technology.

As noted in Table 14, the NNCP established a new fee structure for FY 2008 that increased the cost of a name check by 7 to 177 percent depending on the type of name check services required. Additionally, the NNCP now includes a \$1 technology charge to fund future automation and IT enhancements of name checks. The FBI estimates that its \$1 technology charge will generate nearly \$7.2 million for IT investments in FYs 2008 and 2009. Although during the course of this audit the FBI assured us that it plans to evaluate its fee structure every 2 years, we recommend that the FBI develop formal procedures for reassessing its fee structure biennially to ensure proper cost recovery.

⁴⁹ The FBI may establish and collect fees to process name check requests for non-criminal justice, non-law enforcement employment, licensing purposes, and for certain employees of private sector contractors with classified federal contracts. The fees may be used for salaries and other expenses incurred in providing these services, and include an automation surcharge to fund future technology improvements. (See 28 U.S.C. § 534 (2002)). OMB Circular A-25 requires the review and adjustment, where applicable, of user fees every 2 years. However, fee adjustments must be consistent with the Circular's policies.

TABLE 14: NNCP Name Check Fees

Name Check Service⁵⁰	Fees FYs 1991 – 2007	Fees FY 2008
Electronic Review (Batch Process)	\$1.40	\$1.50
Name Check Analyst Review (Routine)	\$10.65	\$29.50
Manual Submission (Paper Based Request)	\$12.00	\$29.50
Name Check Analyst Review (Expedite)	\$22.65	\$56.00

Source: FBI Finance Division

In addition to not reassessing its fees on a biennial basis, we found that some customers are frequently not charged for name check services related to special events such as National Football League or Major League Baseball games. NNCP officials said that several customer submissions are filtered through various FBI divisions and offices for national security purposes. FBI divisions and offices designated these customer's requests as high priority and of national significance; therefore, the name check requests are given law enforcement status and are not subject to the name check fees.

We reviewed the FBI's roster of customers submitted for law enforcement purposes and saw potential areas of lost funds. As shown in Table 15, special event submissions exceeded 260,000 submissions between FYs 2003 and 2007. Depending upon the type of name check service received, the NNCP has not collected between \$376,660 and \$9,322,340 in potential name check service fees for these high-priority events. According to NNCP officials, the customers listed often require priority designations and consume the immediate attention of analysts who were working on other name check submissions.

⁵⁰ If the electronically submitted name check goes through the batch run and results in a determination of "NO RECORD" the customer is charged the electronic review charge only. If the name check needs further attention by a name check analyst or was submitted manually, the name check falls into the next two categories of fees. Finally, if the customer requests an expedite name check, the name check is moved up in the work queue; for this consideration the customer is charged a higher fee.

**TABLE 15: Name Check Submissions
Filtered through FBI Divisions and Offices
(FYs 2003 – 2007)**

Customer/ Event	Name Check Submissions	Minimum Non-Law Enforcement Fee ⁵¹	Maximum Non-Law Enforcement Fee ⁵²
Army-Navy Collegiate Football	12,015	\$ 16,821	\$ 416,320
Major League Baseball	12,590	17,626	436,244
Belmont Stakes	7,397	10,356	256,306
Breeder's Cup	1,805	2,527	62,543
National Football League	112,557	157,580	3,900,100
Preakness Stakes	2,146	3,004	74,359
Greece & Torino Olympic Games	59,949	83,928	2,077,233
U.S. Golf Open	7,874	11,024	272,834
U.S. Tennis Open	50,408	70,571	1,746,637
Women's World Cup Soccer	2,302	3,223	79,764
TOTAL:	269,043	\$376,660	\$9,322,340

Source: FBI NNCP

We question whether the FBI and U.S. taxpayers should be required to absorb the full cost for these customers' identification services. As a sign of change, NNCP management said that Major League Baseball has agreed to pay for some of its name check services beginning in FY 2008. However, we recommend that the FBI review the fees charged to customers and establish payment criteria together with a uniform policy for accepting name check submissions from its divisions and offices from these high priority customers.

Long Term Plans for Improving NNCP Operations

The FBI recognizes the need to reengineer the NNCP and believes that one way to address the name check backlog is to have a modern records management system. In FY 2004, the FBI's RMD introduced plans to implement a modern records management facility known as the Central Records Complex (CRC) to improve how the FBI organizes and retains its

⁵¹ The minimum service fee charged by the FBI is \$1.40 per name check submission. This service fee for names submitted on electronic medium includes only an electronic Batch Run search of the FBI files.

⁵² The maximum fee charged by the FBI is \$34.65 per name check submission. This service fee is applied to manual name submissions designated as expedites by the submitting customer agency. All requests for an expedited name check are provided the highest priority level, and are generally sent to the top of the queue with other priority submissions, which indicates to analysts that this request should be started first.

records. While the CRC is not being pursued solely for the benefit of the NNCP, the FBI believes CRC will solve many of the causes contributing to the current name check delays. In addition, FBI officials stated that their long-term objective is to implement a largely automated name check process. However, we noted that the NNCP is working without a well-defined business plan to guide its automation, workflow, staffing, fee structure, and program improvement initiatives.

Central Records Complex

According to NNCP officials, many name checks are delayed while analysts wait to acquire hardcopy documentation from FBI files. According to RMD, about 30 percent of USCIS name checks reaching the dissemination stage require access to paper files. In addition, RMD officials stated that many documents, such as faxes, paper copies of external documents, and receipts, are not available electronically. By improving how the FBI organizes and retains its records, analysts will have the ability to easily locate FBI files and will be provided scanned electronic documentation for dissemination. As planned, the CRC will: (1) consolidate all FBI records (excluding active case files) in a single facility, (2) provide a comprehensive inventory database to search and request files, (3) use an automated storage and retrieval system to physically pull requested hardcopy files, (4) offer scan-on-demand capability to convert paper files to electronic form for automated accessibility, and (5) provide electronic storage of scanned files for immediate access to subsequent requestors. The RMD anticipates that requests to review files that once took weeks or even months to retrieve will be available within minutes. As of January 2008, the FBI projects that the CRC will be completed by December 2010, and plans to move personnel and operate the facility by the end of March 2011.

We could not evaluate the long-term impact the CRC will have on the NNCP due to uncertainties with the project, including how the NNCP will address the relocation of material and physical resources to the CRC, the training required for CRC operation, as well as the timely delivery of CRC components. While RMD management recognizes the need for a carefully planned transition, we did not note any formal strategic planning to address the impact of the CRC on name check production.

The NNCP believes that the CRC will speed the name check process because closed files will be centrally located and the NNCP will be less dependent on field offices for the retrieval and review of files. Although having NNCP supervisors and staff located in one facility with closed files will improve production, we believe that the CRC will have less impact on the NNCP workflow process than the RMD anticipates because FBI case files after

1995 should already be available electronically via the Electronic Case File (ECF) program within ACS; open case files will continue to be maintained at individual field divisions; and according to the FBI, every terrorism record is already digitized. While we cannot quantify the number of LHMs that result from information obtained in case files closed prior to 1995, we understand that as time progresses files prior to 1995 will become less relevant to the name check process. Moreover, the agreement signed by USCIS and FBI officials in October 2007 creating the Super and Mega filters facilitated the closure of over 15,000 name checks, eliminated over 50,000 files from current and future review, and eliminated just over 27,000 names from the name check process. Omitting these files from name check processing further reduces the number of files that are accessed by NNCP analysts. Finally, as Sentinel is implemented the FBI's paper-based records will become less relevant because future case file records will be maintained electronically.

Long-Term Business Plan

The NNCP identified general requirements that included a single name check application, a tracking system with precise metrics, and an effective workload management and distribution system. Rather than reengineering the existing processes, the NNCP supplemented its antiquated processes by significantly increasing the number of personnel performing manual name check functions. In addition, the only significant technological enhancements we noted were a user-friendly dissemination interface to scanned documentation and efforts to implement a text recognition tool. However, these efforts have not solved the lingering backlog of name check requests.

We believe that the NNCP requires a detailed business plan incorporating established milestones with accurate reimbursable fee assessments to reduce its backlog and aid in the implementation of new technology. A well-defined business plan would assist NNCP managers in prioritizing and addressing the significant issues hampering this program's operations and help ensure the success of ongoing initiatives. We believe that the NNCP's operations would benefit from developing such a long-term plan to improve workflow monitoring, reduce the communication breakdowns between the NNCP and its customer agencies, ensure proper cost recovery through name check fees, and guide long-term operational improvements.

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During our audit, the NNCP developed a draft plan for FY 2007 NNCP operations, as well as customer-level operations plans for OPM and USCIS. The FY 2007 draft plan is a general plan for the NNCP that highlighted the NNCP's mission, organization, and corrective action initiatives. However, it did not include vital elements such as an assessment of the NNCP core competencies, the steps necessary to achieve program objectives, and a plan or timeline to deliver the identified corrective actions.

In March and April 2008, the NNCP finalized customer-level operations plans with USCIS and OPM, respectively. According to the USCIS plan, the NNCP and USCIS hope to have addressed all name checks pending more than 2 years by July 2008 and those pending more than 1 year by November 2008. The plan also outlines how the NNCP will meet its June 2009 goal of processing 98 percent of USCIS's name check requests within 30 days. Likewise, the OPM plan discusses eliminating by April 2009 all OPM name checks pending over 40 days. Both plans rely on using the NNCP's current processes and state that the FBI is issuing a statement of work designed to obtain the services of a contractor to reengineer the name check process with contemporary technology and business practices.

According to the FBI, while the NNCP has executed customer-level operations plans, it has not yet participated in the FBI's Strategy Management System (SMS) to address the need for overall strategic planning. In the summer of 2006, the FBI began implementing SMS to help the FBI map its strategic objectives and align day-to-day operations. The FBI's Resource Planning Office (RPO) is responsible for implementing SMS within the FBI, and many of the FBI's operational divisions and key support divisions have completed this process. RPO managers indicated that SMS has proven useful and effective for other FBI Divisions at aligning priorities and resources. According to RPO managers, the process of aligning RMD's strategies with the overall FBI strategies will begin in July 2008 and should be completed by October 2008.

Conclusion

Our audit identified areas where NNCP monitoring of name check processing requires improvement. NNCP management was unable to monitor name check workflow due to limited automation and inconsistencies in the name check process. Although the FBI could have raised significant money by charging appropriate user fees to its customers, we found that the FBI did not raise its fees for 17 years, resulting in lost opportunities to enhance its antiquated automated systems and the NNCP's staffing levels. We believe that the NNCP requires a detailed business plan incorporating

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established milestones with accurate reimbursable fee assessments to reduce the backlog and aid in the implementation of new technology.

Recommendations

We recommend that the FBI:

13. Work with customer agencies and develop a formal mechanism to receive and monitor all expedite submissions.
14. Develop and maintain a current list of central points of contact for field divisions in order to improve communication between the NNCP and field divisions.
15. Develop guidelines for submitting field division file review requests and follow-up.
16. Provide USCIS an opportunity to improve communications at the name check analyst level by overseeing its name check requests at the Winchester, Virginia, facility with an on-site representative or establishing a dedicated central point of contact for NNCP analysts to contact for additional information.
17. Develop procedures for reassessing its fee structure every 2 years to ensure proper cost recovery.
18. Establish a uniform policy for accepting and charging FBI field divisions for third-party name check submissions.
19. Develop a long-term business plan for improving the efficiency and accuracy of the NNCP's name check process.

III. FINGERPRINT IDENTIFICATION TIMELINESS AND ACCURACY

Since FY 2005, the FBI has processed over 20 million fingerprint identification requests annually. In contrast to the name check process, we found that the FBI's fingerprint identification process is largely automated, allowing FBI to generally process requests accurately and timely. Sophisticated technology combined with trained personnel, efficient tracking mechanisms, and proficient communication methods have enabled the FBI to process millions of fingerprint submissions per year. In FY 2007, CJIS completed 98.8 percent of all civil fingerprint identifications within 24 hours. In addition, CJIS seeks customers' input for new technology and proactively enhances the technology to be as automated as possible.

Automating Fingerprint Identification

In the early 1990s, the FBI partnered with the law enforcement community to revitalize the fingerprint identification process, leading to the development of IAFIS, which became operational in July 1999. Prior to IAFIS, substantial delays were a normal part of the fingerprint identification process because fingerprint cards had to be physically transported and processed. As a result, fingerprint identifications could often take months to complete.

As a result of the automation, fingerprint identifications occur rapidly. For example, in FY 2007 CJIS processed civil fingerprint submissions within 24 hours in 98.8 percent of the cases. Three large agencies who utilize CJIS services – USCIS, OPM and DOS – raised no quality or timeliness issues when we interviewed them about the FBI's fingerprint identification services. We determined that unlike delays with name checks, the FBI's fingerprint checks were not impeding USCIS's ability to adjudicate immigration benefits.

In December 2007, CJIS announced a 10-year, \$1 billion effort to enhance and expand its biometric identification services. Termed the Next Generation Identification (NGI) program, the effort seeks to incorporate a multimodal biometric framework that includes enhanced photographic identification with facial recognition and image searching of scars, marks,

and tattoos, palm prints, iris scanning, and “Rap-Back” services.⁵³ The plans also include improvements to fingerprint functionality, with increased processing capacity, storage, and accuracy. As part of the NGI development process, CJIS participated in User Requirement Canvasses, which included onsite and telephone interviews of agencies who submit fingerprint requests and written surveys resulting in the identification of over 1,000 new requirements.⁵⁴

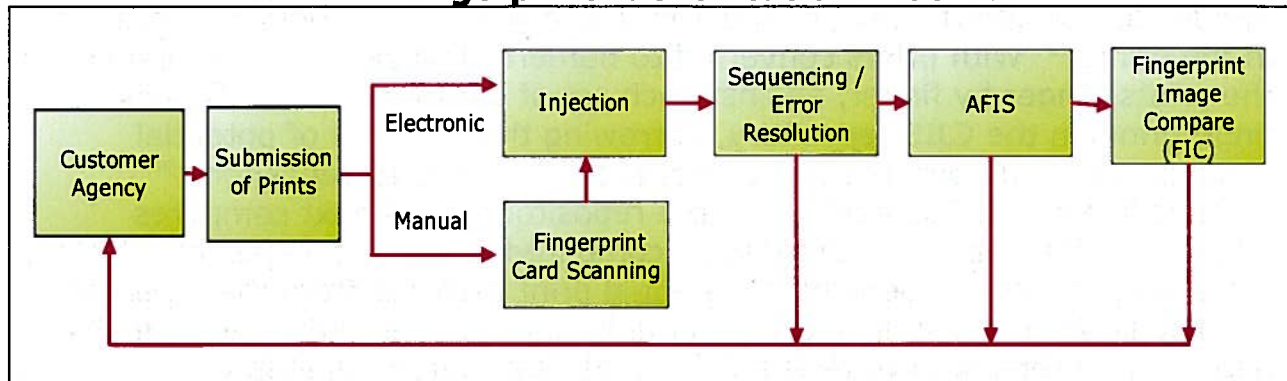
Fingerprint Identification Workflow Process

IAFIS’s key functions are automated and technology combined with workflow monitoring have enabled the FBI to timely process millions of fingerprint submissions per year with minimal human intervention. Figure C below depicts the IAFIS fingerprint identification workflow process. From a high-level perspective, the fingerprint process involves five distinct steps: (1) submission of electronic or manual fingerprints from customer agencies; (2) the receipt and injection of the prints into IAFIS followed by print error resolution and sequencing, if necessary; (3) automated analysis and identification of fingerprints by AFIS; (4) manual Fingerprint Image Compare (FIC), if necessary; and (5) generation and transmission of customer agency fingerprint check responses.

⁵³ The Rap Back service will allow customer agencies to enroll specific individuals who received a CJIS security check for future criminal history notifications. If an enrolled individual is arrested, charged with a crime, or performs an act that is recorded in one of the CJIS law enforcement databases, the customer agency will receive notification from CJIS.

⁵⁴ The User Requirement Canvass was part of an NGI study contract. The canvass was performed by a CJIS contractor and an NGI representative to identify new requirements. Additionally, CJIS worked in collaborative meetings, such as an NGI workshop, Advisory Policy Board, Working Groups, Compact Council, and the IAFIS Interface Evaluation Task Force Meetings to discuss new service requirements.

FIGURE C: High Level Perspective of the CJIS Fingerprint Identification Process



Source: FBI CJIS Division

Fingerprints are usually sent electronically to the FBI from federal, state, or local agencies.⁵⁵ Customers provide 10 rolled prints, 10 flat prints, and descriptor information such as name, gender, or address.⁵⁶ For each 10-print submission, an automated search for criminal information on the subject is initiated.

Automated Fingerprint Identification System Analysis and Identification

The comparison of fingerprints to repository information occurs in AFIS. AFIS is the core automated identification module in the integrated fingerprint identification process; it utilizes a mathematical algorithm that extracts various identifying characteristics of a fingerprint image and converts those characteristics into numeric parameters that can be compared. In essence, the degree to which the numeric parameters of a submitted fingerprint match those of another set of fingerprints stored in the electronic repository is represented in a score indicating the closeness of the match.

⁵⁵ Eight percent of fingerprints are sent manually. When hardcopy fingerprints are submitted to the FBI, the prints are sent to a contractor who converts the manual prints to an electronic format. The contractor generally takes 72 hours to convert the manual prints. On average, the FBI takes 14 days to process manual prints.

⁵⁶ Flat prints are taken by placing the impressions of the left four and right four fingers of each hand captured simultaneously, then acquiring each of the thumb prints individually. Rolled prints are taken by rolling the finger from nail edge to nail edge on a reader, resulting in significantly more fingerprint data. Flat prints provide 40-percent less data than rolled prints.

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The process of fingerprint identification requires the comparison of several features of the fingerprint pattern. Using an algorithm, AFIS numerically scores the fingerprints that correspond to the points of interest in the prints.⁵⁷ With prints converted to numerical values, AFIS compares the prints, finger by finger, against each set of the more than 50 million fingerprints in the CJIS repository, narrowing the universe of potential matches from 100 percent to 4 percent of the total CJIS repository.⁵⁸ Utilizing the smaller percentage of the repository, AFIS next compares minutia points. Minutia locations are compared at various angles of rotation, identifying the best 1 percent of potential print matches from the 4 percent searched. With a smaller set of potential print matches, AFIS performs its final comparisons, known as the Two-Finger Attributed Relation Graph (ARG), and if necessary the Ten-Finger ARG.

Depending on the ARG score, AFIS can identify a positive match to a subject in the repository, identify that no match exists in the repository, or refer the prints for manual review (also known as Fingerprint Image Compare or FIC).⁵⁹ If the match between two sets of fingerprints is so robust that it yields a score greater than 20,000, the submission will pass through AFIS without human intervention and generate an automatic response indicating a match has been identified. CJIS personnel call those "lights out" submissions. CJIS has also set score ranges to indicate when a fingerprint examiner should intervene and verify a fingerprint match's accuracy before accepting what the automated system determined. In what is largely an automated process, the FIC is the manual component of the fingerprint identification process. Based upon the accuracy of the fingerprint match to a repository print as determined by the ARG score threshold, customer submitted prints are compared to a repository print by one or two fingerprint examiners.

⁵⁷ CJIS incorporates both fingerprint patterns and minutiae, or points of interest in a fingerprint, into its identification algorithms. The three basic patterns of the fingerprint ridges are the arch, loop, and whorl. The minutia types may include ridge endings, ridge bifurcation (where a ridge splits in two), short ridges, and ridge crossovers, among other things. For each minutia point, a vector or mathematical equation is stored so that the algorithm may account for the points' type, location, and angle. AFIS will compare the submitted vectors to the vectors stored in the CJIS print repository.

⁵⁸ The comparison eliminates prints by their sequence placement to the corresponding repository prints in the same sequence by pattern class and ridge count. To record a successful match, all 10 pattern classes must correlate and 9 of the 10 ridge counts must correlate.

⁵⁹ The FIC function is a process performed by individuals who are trained to identify and compare specific characteristics of fingerprint minutia between two separate images in order to determine whether a submitted print is a match with the master print.

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As shown in Table16, CJIS officials have gradually decreased the lights-out threshold:

TABLE 16: History of ARG Score Adjustments

Date	Lights Out –Match	1 FIC Required	2 FIC Required
Initial	64,800	20,000 to 64,800	2,800 to 19,999
11/24/2003	Greater than 45,000	20,000 to 44,999	2,800 to 19,999
02/17/2004	Greater than 40,000	20,000 to 39,999	2,800 to 19,999
04/11/2005	Greater than 40,000	16,000 to 39,999	2,800 to 15,999
02/06/2006	Greater than 38,000	16,000 to 37,999	2,800 to 15,999
04/05/2006	Greater than 35,000	16,000 to 34,999	2,800 to 15,999
12/21/2006	Greater than 30,000	16,000 to 29,999	2,800 to 15,999
05/22/2007	Greater than 25,000	16,000 to 24,999	2,800 to 15,999
09/25/2007	Greater than 20,000	16,000 to 19,999	2,800 to 15,999

Source: FBI CJIS

With a confidence-level threshold of 20,000, approximately 72 percent of fingerprint submissions are able to pass through AFIS automatically without human intervention. As CJIS makes such adjustments, a greater volume of fingerprint submissions pass through the automated process without any human intervention, improving AFIS response times. Thus, adjustments to ARG threshold scores are crucial in the management of fingerprint identification workflow.

We reviewed the basis for lowering the lights-out threshold to ensure the reliability of AFIS' results. Our discussions with CJIS management and IT personnel revealed that monthly capacity planning meetings are held to review operational and testing data for the past fiscal year and to consider upgrades and adjustments to AFIS that will allow it to better meet customer needs and performance goals. CJIS officials said they make modifications to AFIS based on several factors, such as technology enhancements, the increasing volume of fingerprints, upcoming initiatives that would increase the volume of fingerprints, and staffing levels.

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We reviewed a study prepared by the FBI entitled *Automation of Fingerprint Image Compare*, which reveals that CJIS conducted a 2-week evaluation of the AFIS-threshold change to determine the impact and the accuracy of AFIS-performed identification decisions.⁶⁰ In addition, we reviewed CJIS internal memorandums detailing the threshold changes and noted that CJIS-IT personnel performed system enhancements, tested the changes, and monitored the system after changes were implemented. One such test uses regression test software. The regression test set, which is comprised of 10,000 names, is run through the revised system and compared to the known results in order to determine the accuracy of the revised system. According to CJIS IT management, any abnormalities are corrected immediately.

In addition to the specific testing regarding changes, CJIS identified several quality control processes in place to validate accuracy or identify problems. Specifically, CJIS mentioned an Operational Analysis System Integrity Support Group that researches a variety of resources to detect erroneous comparisons or missed identifications outside the normal workflow. CJIS also has a Quality Assurance Team to detect false positives and negatives.⁶¹ We reviewed the two latest reports and noted that the number of errors was insignificant and that corrective action had been taken.⁶²

⁶⁰ Federal Bureau of Investigation, Criminal Justice Information Services Division, White Paper *Automation of Fingerprint Image Compare* (January 31, 2004). The study discussed the 2-week evaluation of the initial AFIS High-Threshold change from 64,800 to 45,000 (November 24, 2003). The study determined the impact and accuracy of AFIS-performed FIC decisions and concluded that the 45,000 AFIS Threshold should be maintained, and also recommended a further reduction of the AFIS High-Confidence Threshold Level to 40,000.

⁶¹ A false positive occurs when either IAFIS or a fingerprint examiner indicates that a fingerprint submission matches a print in the repository, when in fact it does not match the print. A false negative is when either IAFIS or a fingerprint examiner indicates that a print does not match a specific print, when in fact the print is a match.

⁶² In 2006, the Operational Analysis System Integrity Support Group identified 136 errors, of which 108 were system-caused, with the remainder employee-caused errors. In 2005, the group identified 86 errors, of which 54 were system-caused, with the remainder employee-caused errors. Given that CJIS processed 20 million prints in FY 2005 and 23 million prints in 2006, the noted errors were insignificant.

We found that while CJIS personnel perform a variety of tests supporting adjustments to the ARG scoring threshold and could easily recite the methods used for processing changes to AFIS, CJIS does not have written policies and procedures for documenting and approving adjustments to AFIS. We believe that the lack of written policies and procedures is an internal control weakness that could lead to unapproved and undocumented changes. Therefore, we recommend that CJIS develop and implement written policies and procedures for documenting and approving adjustments to AFIS.

Fingerprint Fee Structure

The FBI establishes and collects fees to process fingerprint identification records for non-criminal justice, non-law enforcement employment, licensing purposes, and for certain employees of private sector contractors with classified federal contracts.⁶³ Prior to FY 2008, CJIS had not revised the fees charged for fingerprint identifications since FY 1994, which was 5 years prior to the implementation of IAFIS.⁶⁴ In FY 2008, CJIS adjusted the fee schedule to help account for current costs in human resources, capital assets, and continued automation. Table 17 compares the fingerprint fee structure for FYs 1994 through 2007 to the new fees established in FY 2008.

⁶³ The fees may be used for salaries and other expenses incurred in providing these services, and include an automation surcharge to fund future technology improvements. See 28 U.S.C. § 534 (2002).

⁶⁴ According to CJIS management, prior to the FY 2008 user fee study CJIS dedicated a significant effort to develop an activity-based cost model. However, until FY 2008, OMB did not officially approve the model.

TABLE 17: Fingerprint Identification Fees

Fingerprint Identification Service	Requestor	FY 1994-2007 Fee	FY 2008 Fee
Volunteer (Electronic or Manual)*	Federal & Non-Federal	\$18.00	\$15.25
Non-Law Enforcement(Electronic)	Federal	\$16.00	\$19.25
Non-Law Enforcement(Electronic)*	Non-Federal	\$24.00	\$19.25
Non-Law Enforcement (Manual)	Federal	\$18.00	\$30.25
Non-Law Enforcement(Manual)*	Non-Federal	\$24.00	\$30.25
Non-Law Enforcement (Electronic In/Manual Out ⁶⁵)*	Non-Federal	\$24.00	\$26.00

Source: FBI CJIS Division

* includes \$2 billing charge

The new schedule is based on full-cost recovery and is intended to account for the cost of providing identification services.⁶⁶ For example, CJIS has restructured its manual searching fees to account for the increased costs of processing manual fingerprint card submissions versus the electronic submissions that feed directly into IAFIS. In consideration for the planned advancements to CJIS biometric services, and because the FBI is authorized and required to assess its fee structure biennially with an automation surcharge, we recommend that the FBI include as part of its business planning a process for reassessing its fee structure every 2 years to ensure proper cost recovery and future automation expenses.⁶⁷

⁶⁵ For this type of service, CJIS authorization is required. To date, only non-federal customers have requested this service.

⁶⁶ The fee structure was developed to cover costs for the FBI conducting fingerprint-based and name-based Criminal History Record Information identifications. Bearing Point, Inc. developed the fee structure using Activity Based Costing software.

⁶⁷ Office of Management and Budget (OMB) Circular A-25 requires the review and adjustment, where applicable, of user fees every 2 years. However, fee adjustments must be consistent with the Circular's policies.

Personnel

Although the fingerprint process is mostly automated, CJIS relies on an experienced, well-trained work force to manually perform quality control, sequencing, or fingerprint identification when the fingerprint does not reach the lights-out threshold. CJIS management closely monitors work-in-process and allocates resources to bottlenecks while reviewing the daily or monthly performance statistics.

Training

CJIS has a training unit in the Identification Services Unit that has offered training classes to both employees and CJIS customers.⁶⁸ Training is required before an employee performs AFIS functions, such as FIC, quality control, and logic error resolution (LER).⁶⁹ In addition, if CJIS personnel have not performed a function for a period of time, they are required to take refresher training prior to working in that area. Each function has different training requirements. For example, as shown in Table 18 below the required training for FIC varies depending on how long it has been since the individual performed the function.

TABLE 18: Required FIC training

Length of Time Since Performing FIC	Required Training Period
Never performed FIC	7-9 weeks training
Greater than 1 year	40 hours
Between 180 days and 1 year	16 hours
Between 90-180 days	8 hours
Between 60-90 days	4 hours

Source: FBI CJIS

⁶⁸ CJIS provides customers fingerprint training classes upon request including a 1-day course entitled "Taking Legible Fingerprints" and a 3-day course entitled "Basic Pattern and Recognition."

⁶⁹ The Quality Check Unit is responsible for conducting a detailed analysis of each Criminal and Civil 10-print submission processed by IAFIS to determine if the information on the submission meets basic processing criteria. The LER application is used to resolve errors and inconsistencies that the Interstate Identification Index (III) finds when trying to process a file maintenance request. The objective of LER is to correct all errors that may prevent III from updating the Subject Criminal History Record (SCH). The FIC function is a process performed by individuals who are trained to identify and compare specific characteristics of fingerprint minutiae between two separate images to determine whether a submitted print is a match with the master print.

Annually, employees must also take a 1-day refresher training course that includes the review of the Standard Operating Manuals, memorandums, IAFIS notes and “work-arounds” that apply to the function the employee performs. CJIS provides Standard Operating Manuals for various IAFIS functions, such as the following:

- Quality Check, version 6.0, dated September 21, 2006
- Logic Error Resolution, version 5.0 dated April 9, 2007
- Fingerprint Sequence Check, version 5.0 dated June 22, 2006
- Fingerprint Image Compare, Verify Fingerprint Compare, version 5.0, dated June 22, 2006

The manuals outline the objective of the specific function and responsibilities of various parties involved with the process, detail procedural steps in the process, and provide needed codes or reference check lists. The manuals were constructed to be a user friendly reference to operators with precise instructions and illustrated examples.

Quality Control

Though rare, past incidents of fingerprint misidentifications highlight the need for quality assurance processes and employee accountability.⁷⁰ CJIS has a Standard Operating Manual, which provides broad checklists for each IAFIS function, states that the main objective of the quality assurance examiners is to detect and submit discrepancies to the appropriate personnel. CJIS also has compiled a comprehensive manual, Performance Resource Guide, dated April 1, 2007, that establishes accountability for errors and the processes for handling those errors.⁷¹ The intent of the document is to provide CJIS officials with tools and suggestions for evaluating an employee’s performance.

⁷⁰ In May 2004, the FBI arrested Brandon Mayfield as a material witness in an investigation of the terrorist attacks on commuter trains in Madrid, Spain. Mayfield had been identified by two Latent Print Unit examiners, as well as the Unit Chief in the Latent Print Unit, as the source of a fingerprint found on a bag of detonators in Madrid that was connected to the attacks. Two weeks after Mayfield was arrested, the Spanish National Police informed the FBI that it had identified an Algerian national as the source of the fingerprint on the bag. After the FBI Laboratory examined the fingerprints of the Algerian, it withdrew its identification of Mayfield. The corrective action taken by the FBI Laboratory on the three examiners included providing written explanation for the error, removal from casework, technical review of the examiners’ past cases, proficiency testing, and a training exercise. U.S. Department of Justice Office of the Inspector General, *A Review of the FBI’s Handling of the Brandon Mayfield Case*, Special Report, January 2006.

⁷¹ Federal Bureau of Investigation, Criminal Justice Information Services Division, Identification and Investigative Services Section, internal guidance entitled *Performance Resource Guide*, dated April 1, 2007.

The Performance Resource Guide identifies the Quality Assurance Team, which consists of three related groups: the Product Verification Group, the Quality Assurance Group, and the Statistical Trending, Analysis and Reporting Group. Each group consists of functional experts providing specific verification or validation services. The main objective of the Quality Assurance Team is to detect and immediately correct discrepancies or errors found in CJIS products and services. The Quality Assurance Team logs, tracks and analyzes each error and forwards the error case to the appropriate supervisor. This assists management in identifying system issues and training needs, streamlining business processes, and establishing a confidence level for products and services.

The CJIS Performance Resource Guide outlines acceptable performance and specifies how the calculated accuracy rate impacts employee performance as noted in Table 19.

TABLE 19: Accuracy Parameters Used by CJIS in Performance Evaluation

Outstanding Accuracy	Excellent Accuracy	Successful Accuracy	Minimally Successful Accuracy	Unacceptable Accuracy
Above 99.98%	99.98%	99.97%	99.96%	Below 99.96%

Source: CJIS Performance Resource Guide dated April 1, 2007

To manage errors and ensure that all employees are held to fair guidelines in connection with deficiencies in their work product, a point value is assigned to each error type – the more serious the error, the greater the point value. Points are accumulated by individual personnel and the supervisor calculates the accuracy rate in a prescribed manner. The manual outlines various possible corrective actions to improve accuracy ranging from monitoring telephone use to providing refresher training.

Production Monitoring

As previously noted, fingerprint identification services are provided for criminal and civil submissions, with criminal justice submissions treated as a higher priority. Civil submissions for non-criminal justice purposes are of less priority and have a slightly longer average response time. CJIS's stated vision is to provide world-class person-centric biometric identification

services, including advanced fingerprint, new biometric capabilities, and efficiencies in associated information services.⁷²

In order to quantify this vision, CJIS has established finite system performance metrics in its Strategic Plan. For criminal fingerprints, 95 percent of all submissions are to be processed and returned to the requestor within 2 hours. For civil fingerprints, 95 percent of all submissions are to be processed and returned to the requestor within 24 hours.

We reviewed the methodology CJIS uses to compile the statistics and observed that CJIS has surpassed these metrics as shown in Table 20.

TABLE 20: Electronic Response Times for Fingerprints

Fiscal Year	Criminal		Civil	
	Average In Minutes	Percent Within 2 hours	Average in Minutes	Percent Within 24 hours
2007	15	98%	180	98.8%
2006	21	96.8%	203	98.2%
2005	28	96.7%	195	99.0%
2004	35	94.5%	128	98.7%
2003	65	90.0%	149	97.5%
2002	50	90.3%	145	98.8%

Source: FBI CJIS Division

In FY 2007 CJIS completed 98 percent of the 10-print criminal fingerprints in 2 hours, and 98.8 percent of the 10-print civil fingerprints in 24 hours. CJIS has developed monitoring processes that measure the performance of IAFIS including queue monitoring, daily and monthly statistics, and performance metrics for individuals.

Queue Monitoring

The CJIS Operations Control Center (OCC) is responsible for controlling the flow of fingerprints in IAFIS. Through the OCC, management is aware of the number of fingerprints being submitted to IAFIS, the number of prints in “work-in-process,” and if any bottlenecks are building within the queues. The OCC monitors the “work-in-process” and the injection of incoming submissions into IAFIS, ensuring that enough personnel are available to process fingerprint submissions to meet CJIS response time goals. In addition to controlling the injection of prints, the OCC monitors the workload

⁷² For identification services, the person-centric services model focuses operational efforts on the complete end-to-end processing of individual biometric and biographical information in the delivery of criminal history information to qualified partners.

flow throughout the IAFIS process. OCC directs personnel to switch tasks to reduce bottlenecks, such as switching from quality control to logic error resolution.

In addition, CJIS is able to augment staff through the Staffing and Technical Operations Resource Management (STORM) plan that was initiated in September 2006. This plan retraines former fingerprint examiners in the fingerprint process so they can assist during busy periods. Those assisting may only participate for an hour or two per day. This augmentation helps CJIS continue to provide timely services to customers.

Statistics

CJIS tracks every request for a fingerprint identification from the time it enters IAFIS until the results are returned to the customer.⁷³ The Statistics Department produces three major reports:⁷⁴

- **The Early Morning Report.** Provided to management by 7 a.m. every day, this report contains daily and cumulative statistical information on IAFIS performance. The report is intended for mid-level managers who monitor daily receipts and closeouts of fingerprint submissions and also monitor response times.
- **The Operations Status Report.** Transmitted to more senior management at CJIS, this daily report presents a brief snapshot of total fingerprint processing activity, response times, and staffing levels.
- **The Monthly System Performance Report.** Similar to the Operations Status Report, this report presents response times and IAFIS activity over a cumulative time period.

According to the IAFIS Director of Statistics, the workload follows certain patterns. For example, response time varies by day of the week, and there also may be seasonal fluctuations during the year. If bottlenecks occur in the system, CJIS personnel meet to discuss ways to address the issue.

⁷³ Fingerprint requests are tracked using a variety of identifiers, such as submission identification numbers, type of transaction code, and requesting agency identifiers.

⁷⁴ The statisticians track response times for electronic criminal response and electronic civil submissions. For electronic criminal checks, IAFIS is programmed to tabulate the number of submissions responded to every minute up to 180 minutes, then every hour from 4 to 72 hours. For electronic civil prints, IAFIS is programmed to tabulate number of submissions responded to every minute up to 120 minutes, then by hour up to 72 hours.

Performance Metrics for Individuals

CJIS does not mandate specific performance metrics for its manual functions. However, supervisors have the ability to quantify individual production and error rates. In addition, as part of the performance appraisal, individuals participate in identifying and setting relevant goals and objectives for their own work. This objective is set at the beginning of a performance period and can be adjusted throughout the rating period. At the end of the rating period, the employee's actual achievement is calculated, taking into consideration production and accuracy.

In its strategic plan, CJIS has established a gain-sharing program that provides pay for performance awards to fingerprint examiners who meet eligibility requirements. To be eligible, examiners must work at least 44 hours in the FIC function each month and maintain an overall productivity average of at least 50 prints per hour for each month in the quarter. FIC examiners with more than two IAFIS errors in a quarter will not be eligible for the monetary incentive during the quarter.

Customer Interaction

During our audit we interviewed three large non-law enforcement customers: USCIS, DOS, and OPM. These customers indicated that they were generally pleased with the timeliness of services provided by CJIS. Further, the USCIS has onsite representation at CJIS that promotes communication, coordination, and problem resolution between DHS and the FBI in a timely and mutually beneficial manner.

The FBI also established the CJIS Advisory Process to obtain user community advice and guidance on the operation of CJIS programs. The Advisory Process contains two components: the Advisory Policy Board (APB) and working groups. The APB is responsible for reviewing policy, technical, and operational issues related to CJIS Division programs, and making appropriate recommendations to the FBI Director. The APB is composed of 33 representatives from criminal justice and national security agencies throughout the United States. Working groups and subcommittees were developed to review operational, policy, and technical issues related to CJIS Division programs and policies and make recommendations to the APB. All 50 states as well as U.S. territories and the Royal Canadian Mounted Police are organized into five working groups: Federal, North Central, North Eastern, Southern, and Western. Currently, the APB has eight subcommittees, including a subcommittee on Identification Services. This subcommittee addresses issues pertaining to fingerprint identification and criminal justice use of Criminal History Record Information, and is

responsible for all projects related to the FBI's fingerprint identification program. Through the use of the APB, CJIS has provided a formal avenue for IAFIS users to discuss desired changes or relevant issues.

Conclusion

Automation combined with trained personnel, efficient tracking mechanisms, and significant interaction with customers have enabled the FBI to process millions of fingerprint submissions per year in a generally timely and accurate manner. CJIS has exceeded the system performance metric for timeliness established for both civil and criminal 10-print processes, and the major customers interviewed were satisfied with CJIS's performance. In addition, CJIS seeks customers' input for new technology and proactively enhances the current technology to increase automation as much as possible. In this vein, CJIS initiated the Next Generation Identification (NGI) program, a 10-year, \$1 billion effort to enhance and expand its biometric identification services.

We made two recommendations to enhance the FBI's fingerprint identification. First, we believe the FBI should include as part of its business plan a process for reassessing its fee structure every 2 years to ensure proper cost recovery and future automation. Second, while procedures for changing AFIS were generally understood, CJIS should develop and implement written policies or procedures for documenting and approving changes to AFIS.

Recommendations

We recommend that the FBI:

20. Include as part of its business planning a process for reassessing its fee structure every 2 years to ensure proper cost recovery and future automation.
21. Develop and implement written policies and procedures for documenting and approving adjustments to AFIS.

STATEMENT ON COMPLIANCE WITH LAWS AND REGULATIONS

The audit of the Federal Bureau of Investigation's (FBI) Security Checks for Immigration Applications and Petitions was conducted in accordance with *Government Auditing Standards*. As required by these standards, we reviewed management processes and records to obtain reasonable assurance concerning the FBI's compliance with laws and regulations that if not complied with, in our judgment, could have a material effect on FBI operations. Compliance with laws and regulations applicable to FBI's management of security checks – fingerprint identification and name checks - is the responsibility of the FBI's management.

We considered as part of our review relevant portions of Executive Order 10450; 28 U.S.C. § 534 (2006); 31 U.S.C. § 902 (2006); and Office of Management and Budget (OMB) Circular A-25 - User Charges. As discussed in Findings II and III, prior to FY 2008 the FBI did not biennially assess its fees for fingerprint identifications and name checks as required by OMB Circular A-25. OMB Circular A-25 (8)(e) requires user charges for agency programs to be reviewed biennially, to include: (1) assurance that existing charges are adjusted to reflect unanticipated changes in costs or market values; and (2) a review of all other agency programs to determine whether fees should be assessed for Government services or the user of Government goods or services. Agencies should discuss the results of the biennial review of user fees and any resultant proposals in the Chief Financial Officers Annual Report required by the Chief Financial Officers Act of 1990,

With respect to areas that were not tested, nothing came to our attention that caused us to believe that FBI management was not in compliance with the laws and regulations cited above.

OBJECTIVE, SCOPE, AND METHODOLOGY

Objective

The objective of the audit was to determine how Federal Bureau of Investigation (FBI) processes and procedures impact the accurate and timely completion of security checks utilized for the adjudication of those seeking an immigration benefit.

Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

As part of our audit, we spoke with three large FBI customers (U.S. Office of Personnel Management (OPM), U.S. Citizenship and Immigration Services (USCIS), and the U.S. Department of State (DOS)) to obtain their views of the services provided and concerns, if any, with the FBI processes. We reviewed historical performance data, internal and external assessments, and documentation for planned changes to the fingerprint and name check programs.

We conducted field work and interviewed officials working in pertinent operational units at FBI headquarters; the Criminal Justice Information Services Division (CJIS) in Clarksburg, West Virginia; and the Records Management Division in Washington, D.C., and Alexandria and Winchester, Virginia. Additionally we interviewed personnel and retrieved pertinent documentation from FBI field divisions located in San Francisco, Los Angeles, New York, Miami, and Washington, D.C. Our selection of these five divisions was based on an Information Technology Operations Division (ITOD) listing of the top field divisions receiving National Name Check Program (NNCP) Electronic Communications and NNCP personnel input on slow responding field divisions.

We observed an NNCP training session, reviewed pertinent training manuals for both the Integrated Automated Fingerprint Identification System (IAFIS) and NNCP, and discussed training requirements with both the management and staff of the fingerprint and name check programs. In addition, we examined a judgmentally selected sample of name search, file review, and dissemination analysts at the Winchester facility and Alexandria Records Complex (ARC).

We also obtained a listing of FBI and contractor personnel assigned to NNCP by unit. NNCP divides the work force into units that specialize in certain customers; we reviewed the allocation of resources to see if the allocation was in line with the number of USCIS name checks requested.⁷⁵ Additionally, we requested performance statistics for individual staff members in order to review unit and individual productivity for NNCP.

We interviewed appropriate IAFIS, NNCP, and ITOD personnel to obtain an understanding of the fingerprint and name check automation systems, the capacity of the systems, and the connectivity and interoperability with other FBI or outside agency systems. We discussed the extent and the type of testing routinely done on the systems, improvements to the systems since the initial implementation, coordination with information technology staffs, and future plans for IAFIS and NNCP. We met with the Terrorist Screening Center (TSC), DOS, and a consultant from MITRE to obtain an understanding of available name searching tools.⁷⁶

⁷⁵ According to the NNCP, prior to Fiscal Year (FY) 2007, Unit-1 completed OPM, White House, and various other name checks; Unit-2 completed DOS, USCIS, and various other name checks; while, Unit-3 completed name searching, file review, and performed name checks for a few smaller customers. In FY 2007, NNCP reorganized the units. Unit-1 still generally works with the same customers. However, Unit-2 no longer performs USCIS name checks and now is responsible for file review and Unit-3 now performs USCIS name checks.

⁷⁶ The MITRE Corporation is a not-for-profit organization chartered to work in the public interest. It applies its expertise in systems engineering, information technology, operational concepts, and enterprise modernization to address sponsors' critical needs. MITRE has partnered with the TSC and a federal working group to develop and test more efficient name searching capabilities.

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We interviewed General Services Administration and Sentinel personnel to discuss the planned Centralized Records Complex, the requirements needed for a Sentinel interface, and target dates for implementation. In addition, we spoke with CJIS personnel to discuss improvements to IAFIS and the new biometric Next Generation Identification (NGI) initiative. We also reviewed contract files for planned or purchased technology equipment and software and discussed with pertinent personnel how the equipment or software fit into the current or future process.

ACRONYMS

<u>Acronym</u>	<u>Description</u>
ACLU	American Civil Liberties Union
ACS	Automated Case Support
AFIS	Automated Fingerprint Identification System
APB	Advisory Policy Board
ARC	Alexandria Records Complex
ARG	Attributed Relation Graph
BOSU	Business Operations Support Unit
CIA	Central Intelligence Agency
CIDN	Contributor-Assigned Identification Number
CJIS	Criminal Justice Information Services Division
COTS	Commercial on the Shelf
CRC	Central Records Complex
CTD	Counterterrorism Division
DHS	U.S. Department of Homeland Security
DocLab	Document Conversion Laboratory
DOD	U.S. Department of Defense
DOS	U.S. Department of State
EC	Electronic Communications
EFCON	Electronic Fingerprint Converter
FBI	Federal Bureau of Investigation
FBINET	Federal Bureau of Investigation Network
FIC	Fingerprint Image Compare
FY	Fiscal Year
GSA	General Services Administration
IAFIS	Integrated Automated Fingerprint Identification System
ICRC	Interim Central Records Complex
IDW	Investigative Data Warehouse
IDWH	Integrated Automated Fingerprint Identification System AFIS Data Warehouse
III	Interstate Identification Index
ITB	Information and Technology Branch
IT	Information Technology
ITN	Identification Tasking and Networking
ITOD	Information Technology Operations Division
LHM	Letterhead Memoranda
MLB	Major League Baseball
NARA	National Archives and Records Administration
NCDD	Name Check Dissemination Database

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NCIC	National Crime Information Center
NCP	Name Check Program
NFL	National Football League
NGI	Next Generation Identification
NNCP	National Name Check Program
NR	No Record
NSI	National Security Information
OCC	Operations Control Center
OCIO	Office of the Chief Information Officer
OCR	Optical Character Recognition
OGC	Office of the General Counsel
OIG	Office of the Inspector General
OMB	U.S. Office of Management and Budget
OPM	U.S. Office of Personnel Management
POB	Place of Birth
POC	Point of Contact
QA	Quality Assurance
RAS	Records Automation Section
RMD	Records Management Division
RPO	Resource Planning Office
RSMU	Records Storage and Maintenance Unit
STORM	Staffing and Technical Operations Resource Management
TIFF	Tagged Image File Format
TSC	Terrorist Screening Center
UNI	Universal Index
USCIS	U.S. Citizenship and Immigration Services
USGA	U.S. Golf Association
WAN	Wide Area Network

APPENDIX III

FBI SECURITY CHECKS REQUIRED FOR
USCIS IMMIGRATION FORMS

Federal Bureau of Investigation Security Checks for United States Citizenship and Immigration Services (USCIS) Immigration Forms			
Type of Immigration Application or Petition	Form Number	Fingerprint Check	Name Check
Application for Stay of Deportation	I-246	Yes	No
Application for Asylum	I-589	Yes	Yes
Application to Register Permanent Resident Adjustment of Status	I-485	Yes	Yes
Application for Advance Permission to Enter as Nonimmigrant (Waiver) if form is filed with USCIS	I-192	Yes	Yes
Application for Waiver on Grounds of Excludability	I-601	Yes	Yes
Petition to Classify Orphan as an Immediate Relative	I-600	Yes	No
Immigrant Petition for Orphan (Advanced Processing)	I-600A	Yes	No
Application for Status as a Temporary Resident	I-687	Yes	Yes
Application for Family Unity Benefits Under the Family Unity Program	I-817	Yes	No
Application for Temporary Protected Status	I-821	Yes	No
Application to Replace Permanent Residence Green Card	I-90	Yes	No
Application for Naturalization	N-400	Yes	Yes
Appeals From USCIS Decision	EOIR	Yes	No

Source: DHS USCIS, November 2007

APPENDIX IV

SUMMARY OF NATIONAL NAME CHECK PROGRAM ASSESSMENTS

We reviewed previous assessments on National Name Check Program (NNCP) automation, business processes, staffing, and workflow. Each of the assessments indicated a need for the NNCP to further automate its workflow and implement business process reengineering efforts to improve name check accuracy, efficiency, and timeliness. The following presents a summary of each of the three assessments requested by the Federal Bureau of Investigation (FBI) in Fiscal Years 2002, 2007, and 2008.

Advanced Computing Technologies, BWXT Y-12, L.L.C.

Information Management Section (IMS) Business Process & Staffing Study
February 2002

The study was conducted at the request of the Criminal Justice Information Services (CJIS) Division's IMS who supported the NNCP at the time of the assessment.

Scope

The contractor sought to document the current IMS operational processes and determine the necessary staffing level and improvements to workflow that would allow IMS to support the FBI, other government agencies, and the general public with access to FBI central records information.

Period and Condition

The study, conducted between September 2000 and July 2001, stated that IMS experienced significant staff reductions, a deterioration of services, and the inability to find and retrieve files and complete name checks on a timely basis. The study noted that the events of September 11, 2001, increased the IMS workload well beyond the work observed during the study period, and the number of staff was not sufficient to handle the name check information needed for a war on terrorism.

Conclusion and Recommendations

The study did not reveal any major workflow changes that could improve the business process; however, major opportunities for reengineering the operational process to decrease the workload and improving customer service were suggested. The study provided 16 recommendations to increase efficiency and maintain a process without significant backlog. The pertinent recommendations relating to our audit include:

- A follow-up study of the NNCP should be conducted using accurate statistics to identify improvements to the process through simplification, standardization, automated systems use, and procedures documentation.
- The integration of organizations in the NNCP under a single management that aligns name check activities into an efficient process that takes advantage of automated systems.
- The development of written procedures to preserve the organizational memory of how to do a name check, assist with training, and standardize name check tasks.
- Request a software engineer to focus on the NNCP. The NNCP needs a high-level professional assigned to the NNCP who understands modern computer systems and the cradle-to-grave ACS and NCP process.
- Improvements should be made to the automated systems, particularly to improve reporting and response times and to automate manual name checks.

FBI Operational Technology Front Office

Program Review, Records Management Division (RMD) Automation Needs
June 2007

The study was conducted at the request of the FBI's Associate Deputy Director with the sponsorship of RMD's Assistant Director.

Scope

The review sought to identify the NNCP's process inefficiencies and improve the program's short-term automation needs. The NNCP was evaluated for the purposes of automation assistance as a complete process,

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and individual process components were individually assessed. Business Process Reengineering, as defined by the FBI in March 2006, was used as the baseline starting point for the review. Responsible officials were interviewed as part of the evaluation, including personnel from the Office of the Chief Information Officer (OCIO), who provided input on the current NNCP state of automation and potential process improvements using the existing mainframe and software suits.

Period and Condition

The review evaluated the NNCP between March 2007 and June 2007. The review stated that the name check process was minimally automated, resulting in inefficient use of personnel time in performing functions that could be accomplished by computer. The manual functions potentially introduce serious errors through manual entry and review of information. Due to the antiquated automation, the review stated that it is possible significant numbers of potential IDENTs are being missed. The existing workflow does not offer proper management controls or efficiency and effectiveness in reporting options.

Conclusion and Recommendations

The review recommended that the NNCP continue implementing the existing Business Process Reengineering efforts in order to address program deficiencies. In an eleven step process, the review suggested that RMD engage a contractor to develop and implement an approved name/identity extraction and matching process and properly scoped automated workflow system as well as pilot an effort to leverage existing Investigative Data Warehouse (IDW) data extraction and indexing efforts to improve short-term access to Automated Case Support (ACS).

iDox Solutions

Functional Systems Design (FSD) Document
December 2007

The FSD document was developed at the request of the NNCP, which sought contractor assistance for the planning, documentation, and presentation of new technology tools, as well as user processes and application upgrades in support of the name check process.

Scope

The FSD is divided into three distinct sections that reflect the phases of program review conducted by the contractor. The sections include:

(1) Requirements Planning and Analysis, (2) System Design, and (3) System Delivery Plan. Together, the three sections review and document the current name check processes to the satisfaction of the FBI and suggest proposed updated automation of the NNCP to be used as guidance for implementation of some or all contractor recommendations. The document stated that the intent of an automated NNCP solution is to establish a streamlined and coordinated approach that will allow the FBI to leverage resources, improve processes, and provide enhanced access to information within the Name Check Program (NCP) application.

Period and Condition

The FSD document did not state the period when the review and analysis of the NNCP was conducted. The document, as provided to the OIG in final, is dated December 20, 2007. The document stated that while name check processing has evolved over time, technology has also advanced drastically, which has presented both a challenge and strain on FBI management to leverage automated systems, while striving to maintain and increase personnel productivity. The document also stated that many aspects of name check processing offer opportunities for improved efficiency, increased productivity, and higher customer satisfaction. The aspects or issues that offer opportunities for improvement include inconsistent requesting agency agreements, receipt of name submissions in various media and formats, limited data validation, unsynchronized systems and databases with relevant data, limited tracking of check status, and paper and people intensive processes, among others.

Conclusion and Recommendations

The FSD document recommended an easier to use and more efficient name check system and an in-depth business design for developing and implementing the proposed name check system. Based upon the previously noted name check issues that offer opportunities for improvement, the document provided a sample NNCP system design proposal that may deliver efficient processing of name check submissions. The proposal is a case-based process that could be implemented using Commercial off the Shelf (COTS) tools. The document stated that the proposal provides the ability to manage and track name check status and workload to achieve efficiencies in processing, automation, and remediation of human resource intensive name check activities. To implement the proposed recommendation, the document provides a detailed system delivery plan that suggested an overall timeline for system planning, procurement, completion, and training.

DATA REPORT RELIABILITY

The National Name Check Program (NNCP) can produce several reports detailing various measurements associated with the name check process. Examples of such reports include:

- (1) *Significant Activity Reports* that detail the number of name checks pending, received (expedite or routine) and/or completed, by customer agency and date;
- (2) *Accomplishment Reports* that track the number of name checks pending, incoming, and handled within name check phases by customer agency and date;
- (3) *Days Old Reports* that identify the age of name checks across several calendar intervals by customer agency;
- (4) *Productivity Reports* that indicate the total volume of name checks closed or completed by analysts by date or a range of dates; and
- (5) *Billing Reports* used frequently for the Finance Division to determine reimbursable funds for customer agencies.

To validate the reliability of current name check production numbers, we compared data on the total number of closed name checks from the FBI's Name Check Program mainframe application and acquired *Significant Activity Reports* detailing the total number of name checks completed by personnel. Our review noted several differences in the total number of name checks completed for the United States Citizenship and Immigration Services and other customer agencies, as compared to the total number of name checks completed by individual analysts. We questioned Information Technology Operations Division officials about the results, but they could not account for the data variations due to unknowns in the information. For example, several data fields lack descriptive names to associate production by individual, and changes to the organizational structure and units complicate efforts to determine production by unit and customer. According to NNCP managers, the production tracking systems are inaccurate due to parallel processing of electronic and paper name search records that continued until early Fiscal Year (FY) 2007.⁷⁷

⁷⁷ As discussed in this report, although the NNCP introduced electronic documentation and the Name Check Dissemination Database in FY 2004, some analysts continued to perform manual paper-based name check functions in FYs 2006 and 2007.

APPENDIX VI

QUALITY ASSURANCE REVIEWS BY NAME CHECK PHASE

Name Search Quality Assurance

Analysts conducting name searching activities are assigned a *checker assignment percentage* ranging from 0 to 100 percent. Based upon the checker assignment percentage, a corresponding percentage of the analyst's name searches are forwarded to a designated Federal Bureau of Investigation (FBI) unit supervisor to ensure that all potential IDENT files for a name check subject have been identified. According to National Name Check Program (NNCP) officials, all name searches conducted by new analysts are checked for the first few weeks the analyst is on-the-job, and subsequently decreased as the analyst demonstrates proficiency in name searching.

We acquired the checker assignment percentages for each of the 84 employees who conduct name searches for Unit-3 United States Citizenship and Immigration Services (USCIS) submissions.⁷⁸ As shown in the table below, 33 of the 84 reported Unit-3 personnel have a checker percentage of 0, meaning that they are not subject to any quality control function, while most contractors receive some form of quality assurance on 10 to 20 percent of their searches.

Percentage of Work Checked		
Checker Assignment Percentage	FBI Positions	Contract Positions
0	32	1
10	3	16
20	4	11
40	3	4
60	0	5
80	0	2
100	2	1

Source: FBI NNCP

⁷⁸ As of November 2007, the NNCP maintained 137 personnel in Unit-3; however, only 84 of the positions conduct name searching for USCIS submissions.

File Review and Dissemination Quality Assurance

The File Review and Dissemination Phases of the name check process utilize quality assurance mechanisms that require supervisors to repeat analysts' name check functions. The quality assurance for File Review requires an experienced analyst to determine whether the correct FBI case files are obtained and provided to NNCP dissemination analysts. Similar to Name Search, all the work completed by a new file review analyst is quality reviewed, but quality assurance reviews decrease as the analyst demonstrates proficiency. Due to minor levels of turn over within the File Review Phase, little quality assurance is performed.

For the Dissemination Phase, which sometimes requires analysts to make IDENT judgments based on limited information, FBI supervisors told us that they repeat the dissemination steps to ensure accuracy. A *Dissemination Checklist* guides dissemination analysts through the dissemination process and is used by FBI supervisors during their review to ensure all procedures and steps have been followed. FBI management and personnel affirm that all letterhead memoranda are reviewed by supervisory analysts.

APPENDIX VII

FBI RESPONSE TO THE DRAFT REPORT



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D C 20535-0001

May 29, 2008

The Honorable Glenn A. Fine
Inspector General
United State Department
Of Justice
Suite 4706
950 Pennsylvania Avenue, NW
Washington, DC 20530

RE: THE FEDERAL BUREAU OF INVESTIGATION'S SECURITY
CHECK PROCEDURES FOR IMMIGRATION APPLICATIONS AND
PETITIONS

Dear Mr. Fine:

The Federal Bureau of Investigation (FBI) appreciates the opportunity to review and respond to your report entitled "The Federal Bureau of Investigation's Security Check Procedures for Immigration Applications and Petitions" (Report). We also appreciate the professionalism exhibited by your staff in working with FBI representatives throughout this lengthy audit process. This letter conveys our response to the report and I request that it be appended.

Your report reviewed two services provided to the Department of Homeland Security's United States Citizenship and Immigration Services (USCIS): name checks of FBI files and fingerprint identifications. The use of both services has surged since the terrorist attacks of September 11. The report notes the use of name checks increased "from 2.7 million name checks in Fiscal Year (FY) 2001 to more than 4 million in FY 2007" and, like name checks, the volume of fingerprint requests increased "from approximately 15 million requests in FY 2001 to more than 26 million requests in FY 2007."

The report finds that faced with an increase of millions of fingerprint submissions, FBI "enhanced technology combined with well trained personnel, efficient tracking mechanisms, and proficient customer interaction enabled

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processing in a timely and efficient manner." As the report notes, unlike the fingerprint program which was mostly automated at the time of September 11 when it faced a surge in volume, the name check program faced three additional obstacles: 1) the process was not mostly automated; 2) the scope of name check searches broadened substantially as the volume of submissions increased dramatically; and 3) in 2003, as both the volume of requests increased and the scope of each search broadened, the FBI agreed to perform a one time re-check of 2.7 million names creating an instantaneous backlog.

As the report confirms, NNCP processing delays were a result of the resubmitted name check requests in 2003. To meet the immediate challenge, the FBI tried a variety of short term fixes to include significantly increasing both the number of FBI personnel and contractors to perform manual name checks. The short term solutions have resulted in the completion of 85% of all incoming name check requests in fewer than 60 days and a reduction in the USCIS name check backlog during FY 2008 from 402,312 at the beginning of the year to 239,923 as of May 28, 2008. This was accomplished while at the same time processing over 1.2 million name checks for USCIS during the same period.

We are working to strategically address the current and future requirements of the customers of the NNCP and concur with all 21 of the Report's recommendations. Of course, short term fixes like increasing staffing is no substitute for the long term solution of implementing major new information technology systems for all FBI case files and searches.

The FBI has been and continues to be actively engaged in numerous initiatives to improve both the quality and the overall management of the process. Work was underway to implement 15 of the 21 recommendations before the Report was published with revisions to the fee structure having been completed prior to the audits conclusion. While developing long term solutions to improve technology, training, and supervision we have achieved near term successes in reducing the backlog of name check submissions. Improving technology and replacing the former law enforcement standard "Soundex" system is among the most significant long term solution we will achieve.

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The name check process will transition to the efficient electronic search of case files as it is linked both to the FBI-wide "Sentinel" information technology initiative and to the development of the Central Records Complex. Linked to Sentinel, the FBI is developing a search engine capable of conducting federated queries accessing data across the Bureau. The project, known as Information Portal (IP), will also update the search tools used by the NNCP. The FBI anticipates piloting the IP prior to the end of calendar year 2008 - the pilot project will address the needs of the NNCP.

While the NNCP has executed detailed operations plans with each of its largest customers to meet their individual requirements, it has not yet participated in the FBI's Strategy Management System (SMS) to address the need for overall strategic planning. While the operations plans marked a significant step forward in the NNCP's planning process, the Director requires each division to work with an in-house strategic planning office to develop objectives, initiatives, and measures for the next 3-5 years, all of which must be aligned with the FBI's corporate strategy. Operational divisions and many key support divisions have already completed this process. The Records Management Division is scheduled to complete their strategic planning as part of SMS in the summer of 2008.

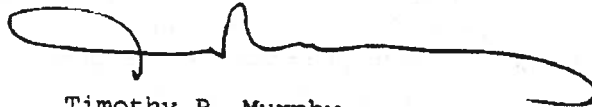
As noted in the report, the rapid hiring of additional personnel to meet the immediate crisis requires a corresponding increase in supervision. NNCP management initiated a recently approved request to expand the number of supervisory positions. In recent months 11 new supervisory positions have been created and filled along with 22 other senior grade positions to provide supervision and guidance to the increasing NNCP staff. Likewise, new personnel need training and in response the NNCP has provided formalized training to 305 new and existing employees and contractors this year with recurrent training to be provided to 20 additional employees over the summer of 2008.

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We will maintain coordination with your office and report progress on these initiatives as they address each of your recommendations. Please feel free to contact Assistant Director Kevin L. Perkins of the Inspection Division should you have any questions.

Sincerely yours,



Timothy P. Murphy
Associate Deputy Director

Enclosure

1 - Mr. Richard Theis
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Audit Liaison Group
Department of Justice
Suite 1400
1331 Pennsylvania Ave, NW
Washington, DC 20005

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FBI's Security Check Procedures for Immigration Applications and Petitions

[Criminal History Verification]

Recommendation 1: Implement procedures to periodically test and update its name matching phonetic search tools.

FBI Response: The FBI concurs with this recommendation. The Records Management Division (RMD) will coordinate with the Office of the Information Technology Branch (ITB) to establish a process and protocols to periodically test and update its name matching phonetic search tools. An initial coordination/planning meeting will be held on or before 6/30/2008.

Recommendation 2: Explore other phonetic search tools to work in conjunction with or as a replacement for its current Soundex-based algorithm.

FBI Response: The FBI concurs with this recommendation. In FY 2008, the FBI revised the name check fee to include funding for information technology enhancement. The enhanced fee structure will permit the FBI to explore other phonetic search tools to work in conjunction with or as a replacement for its current Soundex-based algorithm. These efforts will be coordinated between RMD and ITB with initial coordination/planning meetings to be held on or before 6/30/2008.

Recommendation 3: Ensure that the NNCP participates fully in the work of the federal identity matching community.

FBI Response: The FBI concurs with this recommendation. Appropriate representatives of RMD will regularly attend and actively participate in Federal Identity Matching Working Group meetings and initiatives.

Recommendation 4: Ensure that the NNCP coordinate closely with the ITB to assure that the interim IP and long-term Sentinel technology efforts modernize the FBI's name matching capability.

FBI Response: The FBI concurs with this recommendation. RMD will continue to coordinate with the ITB on interim IP and Sentinel technology efforts. The SENTINEL Program Management Office (PMO) agrees that close coordination with subject matter experts within RMD, the Information Technology Operations Directorate (ITOD) and the PMO's staff concerning the NNCP interface with the SENTINEL System is integral to future improvements and success.

The SENTINEL PMO has been coordinating with RMD and ITOD concerning the NNCP interface with the SENTINEL System. SENTINEL's System Requirements Specification (SRS) lists the NNCP as one of the FBI's internal interfaces.

Recommendation 5: Develop standardized guidance and training for analysts regarding the use of the NCDD.

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FBI Response: The FBI concurs with this recommendation. NCDD Training materials are used in all new employee training. Annual recurrent training for some employees is required. NCDD training personnel will update the materials to reflect the most recent systems changes. Annual recurrent training will be provided to name check employees and contractors starting in July 2008.

Recommendation 6: Immediately resolve the directory mapping issues between the T Drive and the NCDD.

FBI Response: The FBI concurs with this recommendation. At one time, NCDD mapping to the T drive took a prohibitively long time. Various enhancements have substantially corrected this problem and have improved response times by 75%. In addition, an NCDD modification allows Analysts to see T drive updates to rapidly assess changes in the directory.

Recommendation 7: Develop and implement a formal curriculum that includes job related annual or recurring training to enhance process consistency and program continuity.

FBI Response: The FBI concurs with this recommendation. Presently, RMD is rapidly expanding its staff with new employees and contractors. Existing training techniques and materials are consistently producing fully functional Analysts within a four-month training evolution. All training resources are dedicated to this effort through the end of July 2008. In August 2008, the FBI will initiate plans to develop a recurrent training program for all Name Check staff. Staff will cycle through the training and update program at no less than annual intervals or as needed. Recurrent training implementation is September 2008.

Recommendation 8: Explore providing system access opportunities to new hires during name search and dissemination training.

FBI Response: The FBI concurs with this recommendation. A mandatory pre-employment meeting with all personnel and contractors to is now held to initiate systems access screening procedures prior to actual arrival. Additional process refinement will take place to develop a method of expedited approval of System Access Requests for newly hired NNCP staff and contractors.

Recommendation 9: Review supervisor-to-staff ratio, and develop a plan for immediately increasing the supervisory presence at the Winchester facility.

FBI Response: The FBI concurs with this recommendation. The FBI will reorganize the NNCP to improve the supervisor to subordinate ratios. The RMD will initiate the relocation of five GS-14 Name Check Supervisors from the Washington D.C. area to the Winchester facility. The FBI will continue to assess the supervisory-to-staff ratio to ensure appropriate oversight and supervision are occurring at the Winchester facility.

Recommendation 10: Develop and implement quality assurance measures and guidance for all steps of the name check process.

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FBI Response: The FBI concurs with this recommendation. Efforts to enhance the quality assurance (QA) measures within the NNCP will be undertaken. NNCP Managers will design a more comprehensive QA program for deployment by October 2008.

Recommendation 11: Develop and implement a reliable name check submission and completion tracking function so that NNCP can effectively monitor its name check production activities.

FBI Response: The FBI concurs with this recommendation. The RMD will coordinate with the ITB in the development and implementation of an improved name check tracking process. Initial coordination and planning will begin on or before 6/30/2008.

Recommendation 12: Develop plans for reevaluating production metrics on a periodic basis to appropriately evaluate personnel production.

FBI Response: The FBI concurs with this recommendation. NNCP managers will be held accountable in annual performance appraisals for periodic reevaluation of production metrics and evaluation of personnel production reports. Senior RMD/NNCP managers will review progress toward reevaluating production metrics on a quarterly basis beginning in the last quarter of FY 2008.

Recommendation 13: Work with customer agencies and develop a formal mechanism to receive and monitor expedite submissions.

FBI Response: The FBI concurs with this recommendation. The Name Check Program's expedite tracking features need to be expanded to include re-prioritized name checks in progress. The requirement refers directly to the integration of a spreadsheet work-around that the NNCP personnel effectively use to collaborate with non-name check entities. Efforts to modify the NCP system will commence on or before 6/30/2008.

Recommendation 14: Develop and maintain a current list of central points of contact for field divisions in order to improve communication between the NNCP and field divisions.

FBI Response: The FBI concurs with this recommendation. The NNCP currently maintains a list of field points of contact on a shared drive accessible to all analysts.

Recommendation 15: Develop guidelines for submitting field division file review requests and follow-up.

FBI Response: The FBI concurs with this request. Revisions to the NCDD program to allow for tracking of field division file review requests have been completed. NNCP is in the process of redefining guidelines for the procedures. These will be published to the staff on or before 6/30/2008. In addition, a special "tiger team" was established to follow up on overdue field file review requests.

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Recommendation 16: Provide USCIS an opportunity to improve communications at the name check analyst level by overseeing its name check requests at the Winchester, Virginia, facility with an on-site representative or establishing a dedicated central point of contact for NNCP analysts to contact for additional information.

FBI Response: The FBI concurs with this recommendation. The NNCP will expand the existing program to include the Winchester facility.

Recommendation 17: Develop procedures for reassessing its fee structure every 2 years to ensure proper cost recovery.

FBI Response: The FBI concurs with this recommendation. In 2006 RMD established the Division's Financial Services Unit (FSU) which has oversight of the name check fee. FSU is responsible for monitoring cost recovery and conducting new fee studies whenever required by operational changes or every two years, whichever comes first. FSU has engaged an independent contractor and initiated the next cost and fee study.

Recommendation 18: Establish a uniform policy for accepting and charging FBI field divisions for third-party name check submissions.

FBI Response: The FBI concurs with this recommendation. The RMD will, in coordination with the Office of the General Counsel, establish a uniform policy for accepting and charging FBI field divisions for third-party name check submissions. Coordination with OGC will determine exactly what name checks are billable under NNCP's reimbursable authority. Coordination with OGC on this matter will begin on or before 6/30/2008.

Recommendation 19: Develop a formal long-term business plan for improving the efficiency and accuracy of the NNCP's name check process.

FBI Response: The FBI concurs with this recommendation. The RMD is scheduled to participate in the FBI's Strategy Management System (SMS) during the 4th quarter of FY 2008. The SMS is an enterprise wide strategic planning tool mandated for use by the Director. The SMS allows for formalized strategic planning which aligns itself to the FBI's mission and goals. Such participation by RMD will allow for the development of a long term business plan which will be aligned with FBI priorities.

Recommendation 20: Include as part of its business planning a process for reassessing its fee structure every 2 years to ensure proper cost recovery and future automation.

FBI Response: The FBI concurs with this recommendation. The FBI will conduct user fee studies which assess the fingerprint fee at least biennially consistent with OMB's Circular A-25. Specifically, the FBI implemented new, lower fees effective October 1, 2007, via an interim rule. The FBI recently awarded a five year contract on April 14, 2008, to ensure that annual user fee studies are conducted.

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The following chart depicts the previous and current interim revised user fees for fingerprint-based criminal history record information checks for noncriminal justice employment and licensing purposes.

INTERIM REVISED CHRI FEES
(Effective October 1, 2007)

Fingerprint-based CHRI Checks					
<i>FY 1994-2007 Service</i>	<i>FY 1994-2007 Fee</i>	<i>FY 1994-2007 Amount Remitted to FBI by CBSPs</i>	<i>Revised Service</i>	<i>Revised Fee</i>	<i>Revised Amount Remitted to FBI by CBSPs</i>
Non-federal Electronic	\$24	\$22	Electronic	\$19.25	\$17.25
Federal Electronic	\$16				
Non-federal Electronic In/Manual Out (Charged as Manual)*	\$24	\$22	Electronic In/Manual Out	\$26	\$24
Non-federal Manual	\$24	\$22	Manual	\$30.25	\$28.25
Federal Manual	\$18				
Volunteer	\$18	\$16	Volunteer	\$15.25	\$13.25

* Available only when authorized. Only non-federal users have requested this service to date; federal and non-federal users may request authorization under revised schedule.

Recommendation 21: Develop and implement written policies and procedures for documenting and approving adjustments to AFIS.

FBI Response: The FBI concurs with this recommendation. The Biometric Services Section (BSS) records all threshold adjustments within an electronic communication (EC) and then ultimately within an automated tracking system. The process is described in the following paragraph. The CJIS Division will document this process in an EC to ensure information is maintained regarding threshold changes.

To manage and implement system changes including threshold adjustments, the CJIS Division established an internal reporting and enhancement process/system for the IAFIS (and other CJIS Division systems). The automated reporting begins with an electronic request within the ClearQuest toolset. Typically, the electronic requests originate in hard copy form (Flag Sheet) and then are submitted via ClearQuest. The majority of the threshold adjustments, however, are requested via an EC by the BSS and then electronically documented within ClearQuest by the ITMS. This automated process facilitates a consistent and efficient CJIS-wide method to initiate and communicate system status. All requests for system changes or enhancements are reviewed and evaluated with significant input from all areas. This provides an automated documentation means to formally request changes and report problems, a more timely mechanism to begin the change process, and utilizes resources more wisely.

APPENDIX VIII

**OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY
OF ACTIONS NECESSARY TO CLOSE REPORT**

The OIG provided a draft of this audit report to the FBI. The FBI response is incorporated as Appendix VII of this final report. The OIG analysis and summary of actions necessary to close the report is presented below.

Analysis of FBI Response

The FBI has experienced significant growth in security checks – both fingerprints and name checks - since FY 2001. While fingerprint identification is automated and better equipped to handle the surge in fingerprint submissions, the name check process is predominately manual and dependent upon human resources. While we acknowledge that the USCIS resubmission of 2.7 million name checks did contribute to the NNCP backlog, the manual name check processes have played a role in sustaining the backlog.

As the FBI indicates, the NNCP is in transition as it consolidates staff and technology under one roof. Therefore, a comprehensive well executed plan is needed to coordinate its current initiatives and long term solutions, such as replacing its phonetic name matching tools. The FBI has agreed to all 21 recommendations, and it also responded that it has taken steps to implement 15 of the recommendations at this time.

Summary of Actions Necessary to Close the Report

Based on the FBI's response, the OIG considers the report resolved. The following is a summary of actions necessary to close the recommendations.

1. **Resolved.** This recommendation is resolved based on the FBI's agreement to establish protocols for periodically testing and updating its name matching search tools. This recommendation can be closed when we receive the FBI's procedures for periodically testing and updating its name matching phonetic search tools.

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2. **Resolved.** This recommendation is resolved based on the FBI's agreement to explore other phonetic search tools. In FY 2008, the FBI revised its name check fee structure to include funding for information technology enhancements. The FBI stated that the new fee structure will permit the FBI to explore other phonetic search tools to work in conjunction with or as a replacement for its current Soundex-based algorithm. This recommendation can be closed when we receive documentation on the phonetic search tools the FBI has implemented to work in conjunction with or as a replacement for its current Soundex-based algorithm.
3. **Resolved.** This recommendation is resolved based on the FBI's agreement for appropriate RMD representatives to regularly attend and actively participate in Federal Identity Matching Working Group meetings and initiatives. This recommendation can be closed when we receive documentation that RMD is fully participating in the work of the Federal Identity Matching Working Group.
4. **Resolved.** This recommendation is resolved based on the FBI's agreement that the NNCP and ITB will closely coordinate to ensure that interim and long-term technology efforts modernize the FBI's name matching capability. The Sentinel Program Management Office agreed that close coordination with subject matter experts within RMD and ITOD concerning the NNCP interface with Sentinel is important. This recommendation can be closed when we receive documentation that a next generation name check program has been implemented.
5. **Resolved.** This recommendation is resolved based on the FBI's agreement to update NCDD training materials, and provide annual recurrent training to name check employees and contractors starting in July 2008. This recommendation can be closed when we receive the updated NCDD training materials and a record of the July 2008 training session and participants.
6. **Resolved.** This recommendation is resolved based on the FBI's agreement to correct the operability issues between the NCDD and the T Drive. The FBI stated that the operability issues have been substantially corrected, allowing analysts to see T Drive updates to rapidly assess changes in the directory. This recommendation can be closed when we receive documentation to support that the directory mapping issues between the T drive and the NCDD are corrected.

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7. **Resolved.** This recommendation is resolved based on the FBI's agreement to develop and implement a formal training curriculum. During our audit we noted the training manuals and guidance provided to employees varied from one employee to the next. Further, the NNCP had no formal curriculum for initial or refresher training. This recommendation can be closed when we receive documentation that a formal curriculum that includes related annual and recurring training is developed and implemented.
8. **Resolved.** This recommendation is resolved based on the FBI's agreement to explore providing system access opportunities to new hires during training. The FBI stated that a mandatory pre-employment meeting with all personnel and contractors will be held to initiate system's access screening procedures prior to actual arrival. Our audit found that name search and dissemination training would be more instructive if new employees and contractors were provided system access during the training. This recommendation can be closed when we receive documentation that the FBI has provided systems access to new employees and contractors during training.
9. **Resolved.** This recommendation is resolved based on the FBI's agreement to reorganize the NNCP to improve the supervisor-to-staff ratios and relocate five GS-14 Name check Supervisors from the Washington D.C. area to the Winchester facility. This recommendation can be closed when we receive documentation of the NNCP's supervisor-to-staff ratios upon the implementation of the NNCP reorganization and the transfer of five Name Check Supervisors to the Winchester facility.
10. **Resolved.** This recommendation is resolved based on the FBI's agreement to enhance the quality assurance measures within the NNCP. This recommendation can be closed when we receive documentation that the FBI has developed and implemented quality assurance measures and guidance for all steps of the name check process.
11. **Resolved.** This recommendation is resolved based on the FBI's agreement to develop and implement an improved name check tracking process. This recommendation can be closed when we receive documentation that a reliable name check submission and completion tracking function has been developed and implemented.

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12. **Resolved.** This recommendation is resolved based on the FBI's agreement to periodically reevaluate production metrics. This recommendation can be closed when receive documentation of the plans for reevaluating production metrics on a periodic basis to appropriately evaluate personnel production.
13. **Resolved.** This recommendation is resolved based on the FBI's agreement to modify the NCP application to include re-prioritized name checks in progress. This recommendation can be closed when we receive documentation that the FBI has enhanced the NCP application to accurately account for all expedited name check requests.
14. **Resolved.** This recommendation is resolved based on the FBI's agreement to maintain a current list of central points of contact for field divisions. During our audit we noted that the NNCP had a point of contact listing that was not current. This recommendation can be closed when we receive documentation showing that the point of contact list has been updated and a process for regularly updating the list is implemented.
15. **Resolved.** This recommendation is resolved based on the FBI's agreement to develop guidelines for submitting field division file review requests and followup. The FBI stated that the NCDD program was enhanced to allow for tracking of field division file review requests, and that the NNCP is in the process of developing procedures for requesting and following up on field division file review requests. In addition, a special team within the NNCP was established to follow up on overdue field division file review requests. This recommendation can be closed when we receive the NNCP's guidelines for submitting and following up on field division file review requests.
16. **Resolved.** This recommendation is resolved based on the FBI's agreement to expand USCIS representation to the Winchester facility. This recommendation can be closed when we receive the results of the FBI's efforts to provide a USCIS representative at its Winchester facility or establish a dedicated USCIS central point of contact for NNCP analysts.

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17. **Resolved.** This recommendation is resolved based on the FBI's agreement to reassess its fee structure at least biennially. The FBI stated that RMD established a Financial Services Unit in 2006, which has oversight of the name check fee. This unit is responsible for monitoring cost recovery and conducting new fee studies whenever required by operational changes or every 2 years, whichever comes first. According to the FBI, the Financial Services Unit has engaged an independent contractor and initiated the next cost and fee study. This recommendation can be closed when we receive the results of the new cost and fee study.
18. **Resolved.** This recommendation is resolved based on the FBI's agreement to establish a uniform policy for accepting and charging FBI field divisions for third-party name check submissions. This recommendation can be closed when we receive the FBI's policy for accepting and charging FBI field divisions for third-party name check submissions.
19. **Resolved.** This recommendation is resolved based on the FBI's agreement to develop a formal long-term business plan for the NNCP. The FBI stated that RMD is scheduled to participate in its Strategy Management System, which will allow for the development of a long term business plan. This recommendation can be closed when we receive the FBI's long-term business plan for improving the efficiency and accuracy of the NNCP's operations.
20. **Resolved.** This recommendation is resolved based on the FBI's agreement to assess fingerprint fees at least biennially consistent with OMB's Circular A-25. The FBI stated that it recently awarded a 5-year contract to ensure that annual user fee studies are conducted. This recommendation can be closed when we receive documentation on the contract that was awarded to ensure that the fingerprint fee structure will be assessed at least biennially.
21. **Resolved.** This recommendation is resolved based on the FBI's agreement to formalize its procedures for documenting and approving adjustments to AFIS. The FBI's response reiterates its process to manage and implement system changes. Our audit found that CJIS personnel could easily recite the methods used for processing changes to AFIS, but these methods have not been memorialized in CJIS' policies and procedures. This recommendation can be closed when we receive the formal policies and procedures CJIS follows before making changes to AFIS.