

November 2005

# IMMIGRATION BENEFITS

## Improvements Needed to Address Backlogs and Ensure Quality of Adjudications



G A O

Accountability \* Integrity \* Reliability



Highlights of [GAO-06-20](#), a report to Congressional Requestors

## Why GAO Did This Study

Long-standing backlogs of immigration benefit applications result in delays for immigrants, their families, and prospective employers who participate in the legal immigration process. In response to a statutory mandate to eliminate the backlog, the U.S. Citizenship and Immigration Services (USCIS) set a goal of September 30, 2006, to eliminate the backlog and adjudicate all applications within 6 months. This report examines (1) the status of the backlog, (2) actions to achieve backlog elimination and prevent future backlogs, (3) the likelihood of eliminating the backlog by the deadline, and (4) USCIS's quality assurance programs to achieve consistency of decisions while eliminating its backlog.

## What GAO Recommends

GAO recommends that USCIS (1) ensure that its technology improvement efforts support the ability to generate information on the actual age of individual applications, (2) identify and articulate in its plans the benefits it expects to realize from its investment in technology transformation, and (3) develop a comprehensive quality assurance program that applies to all types of benefit applications and that addresses adjudication processes and reasonableness of decisions.

We provided a draft of this report to USCIS for review. USCIS agreed with our findings and recommendations.

[www.gao.gov/cgi-bin/getrpt?GAO-06-20](http://www.gao.gov/cgi-bin/getrpt?GAO-06-20).

To view the full product, including the scope and methodology, click on the link above. For more information, contact Paul L. Jones at (202) 512-8777 or [JonesPL@gao.gov](mailto:JonesPL@gao.gov).

# IMMIGRATION BENEFITS

## Improvements Needed to Address Backlogs and Ensure Quality of Adjudications

### What GAO Found

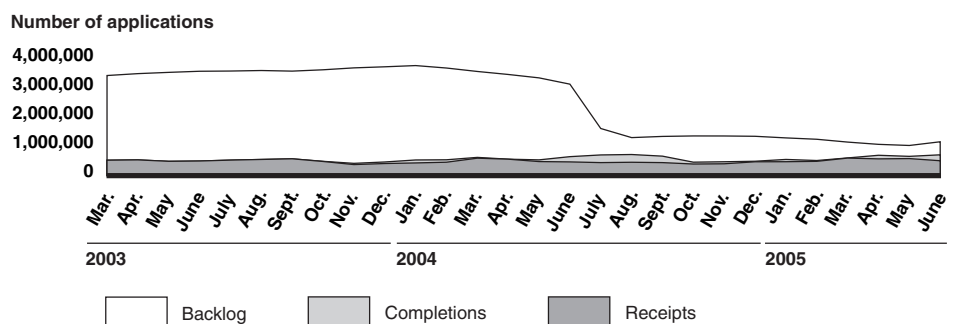
By June 2005, USCIS estimated it had reduced its backlog from a peak of 3.8 million cases to about 1.2 million. However, this estimate is not a measure of the number of pending cases older than 6 months—the definition of backlog used by the Immigration Services and Infrastructure Improvements Act of 2000. USCIS's current data systems cannot provide precise data on the age of all application types. A proposed technology transformation offers an opportunity to develop a case management system with this capability.

USCIS has reduced its backlog mainly by increasing and realigning staff. To prevent future backlogs, USCIS will rely on additional staffing reallocation and technology transformation. However, the technology plan is in the early planning stages, and USCIS has not finalized its estimated cost or identified the gains it could yield.

Despite progress, it is unlikely that USCIS will completely eliminate the backlog by the 2006 deadline. While it met fiscal year 2006 targets for half of the 15 backlogged application types, USCIS may have difficulty eliminating its backlog for two complex application types that constitute nearly three-quarters of the backlog. A backlog may also remain in offices where the volume of cases exceeds adjudicator staff capacity. Other factors, such as lengthy background checks, could also hinder USCIS's ability to achieve and maintain its backlog elimination goals. USCIS officials noted that its current plan is premised on current legislation and would be affected by proposed legislative changes that could impose additional demands on the agency.

Aside from regular supervisory review, USCIS operates two programs to ensure the quality of its postadjudication decisions, yet neither program provides a systematic and inclusive review of all application types. One program reviews adjudicators' compliance with standard processes for two application types, and the other evaluates compliance with standard processes and the reasonableness of decisions rendered, but only for selected applications processed in four centers.

**Benefit Applications Received, Completed, and Backlogged, March 2003-June 2005**



Source: GAO analysis of USCIS's Performance Management System data.

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## Abbreviations

CFR	Code of Federal Regulations
CIO	Chief Information Officer
CIS	Citizenship and Immigration Services
CLAIMS	Computer Linked Application Information Management System
DHS	Department of Homeland Security
DHS-IG	Department of Homeland Security Inspector General
FBI	Federal Bureau of Investigation
FDNS	Office of Fraud Detection and National Security
ICE	Immigration and Customs Enforcement
IBIS	Interagency Border Inspection System
INS	Immigration and Naturalization Service
LIFE	Legal Immigration Family Equity
MNS	Mission Needs Statement
NACARA	Nicaraguan Adjustment and Central American Relief Act
NOID	Notice of Intent to Deny
RFE	Request for Evidence
USCIS	United States Citizenship and Immigration Service

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United States Government Accountability Office  
Washington, DC 20548

November 21, 2005

The Honorable F. James Sensenbrenner, Jr.  
Chairman, Committee on the Judiciary  
House of Representatives

The Honorable John Conyers, Jr.  
Ranking Minority Member, Committee on the Judiciary  
House of Representatives

The Honorable Charles E. Grassley  
Chairman, Committee on Finance  
United States Senate

In fiscal year 2004 nearly 6 million applications were filed by those seeking an immigration benefit—permission for an alien to live in and in some cases work either permanently or on a temporary basis in the United States or to become a citizen. Most immigration benefits can be classified into one of two major categories, family-based and employment-based. Family-based requests for benefits are filed by U.S. citizens or permanent resident aliens to establish their relationships to certain alien relatives such as spouses, parents, children, or siblings who wish to immigrate to the United States. Employment-based petitions include petitions filed by employers for aliens to come to the United States temporarily to perform services or labor or to receive training and for alien workers to become permanent residents in the United States. Petitions can be filed on behalf of aliens outside of the United States who wish to enter the country and on behalf of aliens already in the United States who wish to change from one immigration status to another, such as from a visitor to a temporary worker. The United States Citizenship and Immigration Services (USCIS), within the Department of Homeland Security (DHS), collects fees for processing most types of applications and petitions.<sup>1</sup>

In the past we have reported that some applications and petitions—benefit applications—have taken 2 years or longer to process, resulting in

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<sup>1</sup> USCIS collects fees for most applications types, except for applications for asylum (I-589). (8 C.F.R. 103.7).

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backlogs of pending applications.<sup>2</sup> Recurring backlogs of benefit applications have been a long-standing problem for the former Immigration and Naturalization Service (INS) whose benefit adjudication functions are now the responsibility of USCIS. USCIS inherited this backlog problem which has created hardships for immigrants, their families, and prospective employers seeking immigrant workers. Families are kept apart and businesses are denied the expertise of skilled workers when applicants are subjected to long application-processing wait times. Moreover, critics have suggested that large backlogs of benefit applications create incentives for individuals and businesses to circumvent established legal procedures.

In past years, INS allocated a portion of its appropriation to agency initiatives to reduce the backlog of pending benefit applications. The funds for this effort included \$176 million in fiscal year 1999, \$124 million in fiscal year 2000, and \$35 million in fiscal year 2001, in addition to the fees it was authorized to collect for processing benefit applications.<sup>3</sup> Further, in October 2000, the Immigration Services and Infrastructure Improvements Act of 2000 mandated INS to develop a plan to eliminate its backlog of benefit applications.<sup>4</sup> The act defines backlog as the period of time in excess of 180 days (6 months) that an immigration benefit application has been pending before the agency—that is, the backlog consists of applications that have not been adjudicated within 6 months of filing. Beginning in fiscal year 2002, the administration sought and received appropriations sufficient to fund a 5-year, \$500 million initiative to obtain a universal 6-month processing standard for all immigration benefit applications and petitions.<sup>5</sup> At the end of 2003, USCIS still had over 6

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<sup>2</sup> GAO, *Immigration Benefits: Several Factors Impede Timeliness of Application Processing*, [GAO-01-488](#) (Washington, D.C.: May 4, 2001).

<sup>3</sup> We have reported previously that the fees USCIS collects are insufficient to fully fund its operations and that the agency does not have the systems in place to determine the cost of each step in processing benefit applications. See GAO, *Immigration Application Fees: Current Fees Are Not Sufficient to Fund U.S. Citizenship and Immigration Services' Operations*, [GAO-04-309R](#) (Washington, D.C.: Jan. 5, 2004).

<sup>4</sup> Immigration Services and Infrastructure Improvements Act of 2000 § 205(a), 8 U.S.C. § 1574(a).

<sup>5</sup> By the end of fiscal year 2006, USCIS expects to have allocated a total of \$560 million instead of \$500 million. According to USCIS officials, the President requested and received a onetime additional \$60 million in fiscal year 2005 to get USCIS back on track because of the required security enhancements performed on all immigration benefit applications after September 11, 2001. Twenty percent of the backlog reduction funding has been made up of fee revenues from premium processing services.

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million immigration benefit applications awaiting adjudication—which included about 3.7 million applications reported as backlog. In March 2002 USCIS published a plan (which was updated in June 2004) to eliminate its backlog by the end of fiscal year 2006. USCIS officials noted that this plan is based on the assumption that the agency will continue to operate under current laws and that if any new legislation, such as a proposed guest worker program, is enacted before the end of fiscal year 2006 without provisions for resources to carry out new responsibilities, the agency’s ability to eliminate the backlog could be compromised. In addition to presenting strategies for backlog elimination, the plan acknowledged the importance of balancing its focus on reducing the backlog with its efforts to ensure adjudicative quality, stating that it is imperative that the integrity of the process not be compromised by efforts to stimulate productivity.

You asked us to review USCIS’s implementation of its backlog elimination efforts, including the current status and size of the backlog, and the agency’s actions and plans to address the backlog while ensuring consistent and high-quality adjudication decisions. This report addresses the following questions:

- What is the current status of USCIS’s backlog of unadjudicated applications for immigration benefits?
- What actions has USCIS taken to eliminate the backlog by September 30, 2006, and prevent future backlogs?
- Is USCIS likely to eliminate the backlog by September 30, 2006?
- How does USCIS ensure the quality and consistency of adjudicator decisions while eliminating the backlog?

To determine the status of USCIS’s backlog, we interviewed agency officials and reviewed USCIS’s backlog elimination plans and updates along with the agency’s supporting analyses and compared them with the statutory definition of backlog in the Immigration Services and Infrastructure Improvements Act of 2000. To identify actions USCIS has taken to eliminate the backlog, we interviewed USCIS officials in headquarters and 10 field offices that were selected generally on the basis of workload volume, staffing levels, and backlog levels. Because we selected a nonprobability sample of field offices to visit, the results from our interviews with USCIS officials in these offices cannot be generalized



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to USCIS offices nationwide.<sup>6</sup> Where possible, we corroborated their responses with agency data that we assessed for reliability and determined were sufficiently reliable for our purposes. We also collected information on USCIS's efforts to prevent future backlogs from USCIS's planning documents on staffing, budget, and information technology modernization. To estimate the likelihood that USCIS would eliminate the backlog on time, we tracked and compared the agency's progress in reducing its workload with the targets USCIS established and identified factors that could affect USCIS's ability to complete all applications within 6 months or less. To determine how USCIS ensures the quality and consistency of adjudicator decisions, we examined USCIS's two quality assurance programs and resulting outcomes, and we reviewed the findings and recommendations of an independent study of USCIS's quality assurance programs. We conducted our review from September 2004 through September 2005 in accordance with generally accepted government auditing standards.

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## Results in Brief

As of June 30, 2005, USCIS estimated that it had about 1.2 million cases in its backlog, down from a peak of about 3.8 million in January 2004. However, because USCIS's operational definition of backlog differs from the definition in the Immigration Services and Infrastructure Improvements Act of 2000, its count is not a precise reflection of the number of cases that have been pending for more than 6 months. The agency defines its backlog as the number of pending applications (i.e., the number of applications awaiting adjudication) in excess of the number of applications received in the most recent 6 months. Under this method of estimating the backlog, USCIS could theoretically have applications pending for more than 6 months and not have a backlog. According to USCIS, it cannot readily determine the number of applications that have been pending for more than 6 months from the data management systems it is currently using to manage its backlog elimination efforts. However, USCIS has identified the technology improvements necessary to develop this capability. Since fiscal year 2002, the agency has invested about 2 percent (\$10.5 million) of its funds allocated for backlog elimination for technology improvements. Among the critical elements of USCIS's

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<sup>6</sup> Nonprobability sampling is a method of sampling where observations are selected in a manner that is not completely random, usually using specific characteristics of the population as criteria. Because each unit in a population does not have an equal chance to be selected, it is possible for a nonprobability sample to contain a systematic bias that limits its ability to describe the entire population.

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planned technology modernization efforts is a new case management system that should provide the agency with the capability to produce management reports on the age of all pending benefit applications. However, this information technology modernization effort is still in the early stages of planning, and USCIS does not expect these systems to be fully deployed before fiscal year 2010. Until USCIS develops this capability, it cannot assure Congress that it has successfully eliminated the backlog under the statutory definition.

USCIS has made progress in reducing its backlog of benefit applications primarily by increasing and realigning staff, focusing its efforts on adjudicating petitions for alien relatives who can immigrate immediately, streamlining the adjudication process, experimenting with pilot processes to expedite application adjudication, and adopting best practices identified from those pilots. Since fiscal year 2002, USCIS has committed about 70 percent of its backlog reduction funds to employing about 1,100 temporary adjudicator staff and authorizing overtime. USCIS has also moved benefit application files from field offices with excess workloads to offices with no excess work. In addition, USCIS has begun to implement longer-term strategies to eliminate the backlog, including reallocating staff among offices. For example, USCIS officials told us that staff have been detailed from overstaffed offices in the central and western regions to understaffed offices in the eastern region. Further, USCIS has set aside those applications for which a benefit is not available and eliminated these applications from its count of backlogged cases.<sup>7</sup>

In an effort to streamline the adjudication process, USCIS has revised its guidance and proposed changes to its regulations. For example, USCIS revised its guidance to help ensure that adjudicators do not issue unnecessarily broad requests for additional evidence and has proposed changes to regulations to give adjudicators the discretion to shorten the time applicants are allowed to respond to the request, depending on the nature of the request. Finally, USCIS plans to adopt successful practices from pilot project experiments. For example, in April 2005, USCIS began using certain successful practices that facilitate processing applications for adjustment of status within 90 days at three district offices that did not have a backlog of these types of applications.

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<sup>7</sup> The annual allocation of immigrant visas is limited by statute and is based on family relationship priority, educational and skill level priorities for prospective employers, and country of origin. If a visa is not available, USCIS will not process petitions for alien relatives or immigrant workers.

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In addition to its efforts to reduce the backlog by September 30, 2006, the agency has developed a staffing allocation model and is planning a major transformation of its information technology systems to prevent future backlogs. According to the model, USCIS must fill positions that are currently vacant and better balance the number of adjudicator staff among the field office locations. In addition, USCIS has proposed transformation of its information technology environment, among other things, to support the prevention of future backlogs by upgrading its information technology infrastructure, providing better data management support, and developing new business processes. The preliminary estimated cost of this effort is about \$1.4 billion over the next 5 years. USCIS is investigating a number of funding strategies. The agency has not yet articulated the potential productivity gains this technology transformation plan could yield, such as efficiencies realized from moving from a manual paper-driven process to a paperless adjudication environment. Such information could be useful to both USCIS and Congress in making informed decisions about the appropriate level of investment in technology upgrades.

Although USCIS has made progress in reducing its backlog of benefit applications, it seems unlikely that USCIS will meet its backlog elimination goal—to reduce the number of benefit applications to a level that is equal to 6-months' worth of work by September 30, 2006—in every office and for every application type. USCIS has set increasingly more stringent processing targets to address its September 2006 goal. USCIS met its 2004 targets, and, as of June 30, 2005, had made progress toward meeting its targets for fiscal year 2005 for most application types. However, USCIS may have difficulty achieving the more ambitious targets it set for fiscal year 2006 for applications for both naturalization and adjustment of status to lawful permanent resident, the two complex application types that constitute nearly three-quarters of the backlog. USCIS must reduce its workload from 15 months' worth of pending applications for adjustment of status and from 10 months' worth of pending applications for naturalization to 6 months' worth for both application types by the end of fiscal year 2006. The agency's progress through June 2005 and the more ambitious targets that must be achieved for these two application types raise doubts about USCIS's ability to meet its target. Our analyses indicate that to eliminate the backlog for these two application types, USCIS would need to nearly double its productivity. Specifically, based on USCIS's projections, the agency must complete about 69 percent more applications for adjustment of status, and about 124 percent more applications for naturalization in the last 15 months of its plan than it did during the most recent 15 months (April 1, 2004, through June 30, 2005) if it hopes to eliminate the backlog of these two application types by September 30,

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2006. In addition, although USCIS officials said that the agency currently has more staff hours available than needed to meet its projected workload in certain offices, in other offices the volume of applications exceeds adjudicator staff capacity and the backlog may remain. Other factors beyond the agency's control could also prevent some applications from being adjudicated within 6 months. For example, extensive background checks may delay completion of some applications beyond the 6-month target. Moreover, USCIS officials noted that its current plan is premised on current legislation and would be affected by proposed legislative changes that could impose additional demands on the agency.

USCIS operates two postadjudication programs to ensure the quality and consistency of adjudicator decisions. First, USCIS's Performance Management Division administers an agencywide quality assurance program to review adjudicator compliance with standard processes for adjudicating applications for naturalization and for adjustment of status to lawful permanent resident and to check that completed naturalization cases have been accurately recorded in its case management systems. The other quality assurance program, administered by USCIS's Service Center Operations Division, is designed to evaluate both compliance with standard processes and consistency in decision making for select applications processed exclusively by service centers.<sup>8</sup> Each of these two programs is intended to provide some measure of quality assurance to the USCIS adjudicative process. However, together these programs do not include all application types and do not evaluate compliance with standard operating procedures and the reasonableness of the adjudicator's decision. The Performance Management Division program currently reviews compliance with standard operating procedures for only 2 of 15 application types in the backlog elimination plan and does not evaluate the reasonableness of the final adjudicative decision. In contrast the Service Center Operations Division's approach evaluates the reasonableness of adjudicative decisions (i.e., whether the same decision would have been made by another adjudicator given the evidence provided) as well as measuring compliance with standard operating procedures, but thus far has focused its attention on only four application types, each for a fixed period of time. Information collected from these programs is not comparable, so they cannot provide USCIS with a complete picture of the quality of its adjudications. In addition to these two programs, USCIS also

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<sup>8</sup> Service centers generally adjudicate applications that do not require interviews with the applicants.

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checks quality through supervisory reviews of case files at the local office level. However, these reviews are not uniform or consistently performed across all local offices.

We recommend that USCIS determine and report the size of its backlog in a manner consistent with the definition in the Immigration Services and Infrastructure Improvements Act of 2000 as soon as practicable under its technology transformation plans. USCIS plans indicate that its case management system will have the capability to generate management reports based on the age of individual benefit applications. To help USCIS and Congress to make sound decisions regarding resource allocation, including staffing allocation and investment in technology transformation, we are recommending that USCIS identify and articulate in its plans the benefits it expects to realize from its substantial investment in technology transformation. To improve the quality assurance program, we recommend that USCIS develop a program that addresses adjudication processes and outcomes that can be applied to all types of benefit applications.

The Department of Homeland Security agreed with our recommendations and identified steps it was planning or had begun in response. These include developing the capability to monitor the actual age of benefit applications, identifying methods to increase productivity through streamlining processes and taking advantage of information technology improvements, and developing a comprehensive quality assurance program.

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## Background

The United States Citizenship and Immigration Services, within the Department of Homeland Security, delivers services to aliens and adjudicates their eligibility for various immigration benefits, including naturalization, adjustment of status to lawful permanent resident, employment authorization, and asylum. USCIS carries out its service function through a network of field offices consisting of a National Benefits Center, which serves as a central processing hub for certain benefit applications and utilizes secured depositories in Chicago, Illinois, and Los Angeles, California, to collect fees;<sup>9</sup> 4 service centers, which

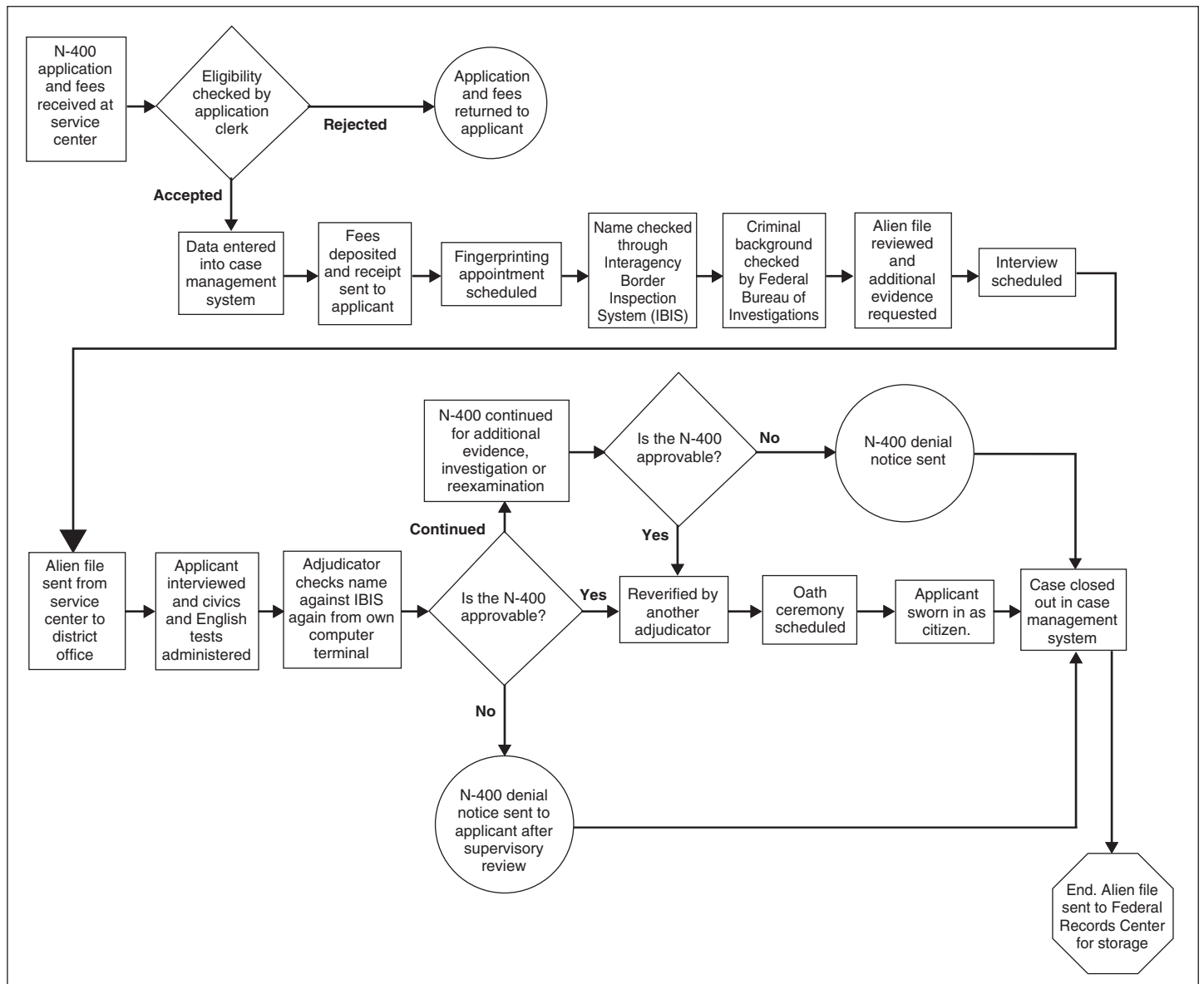
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<sup>9</sup> The National Benefits Center processes (1) applications for adjustment of status to lawful permanent resident, (2) applications for employment authorization, (3) applications for travel documents, and (4) petitions for alien relatives.

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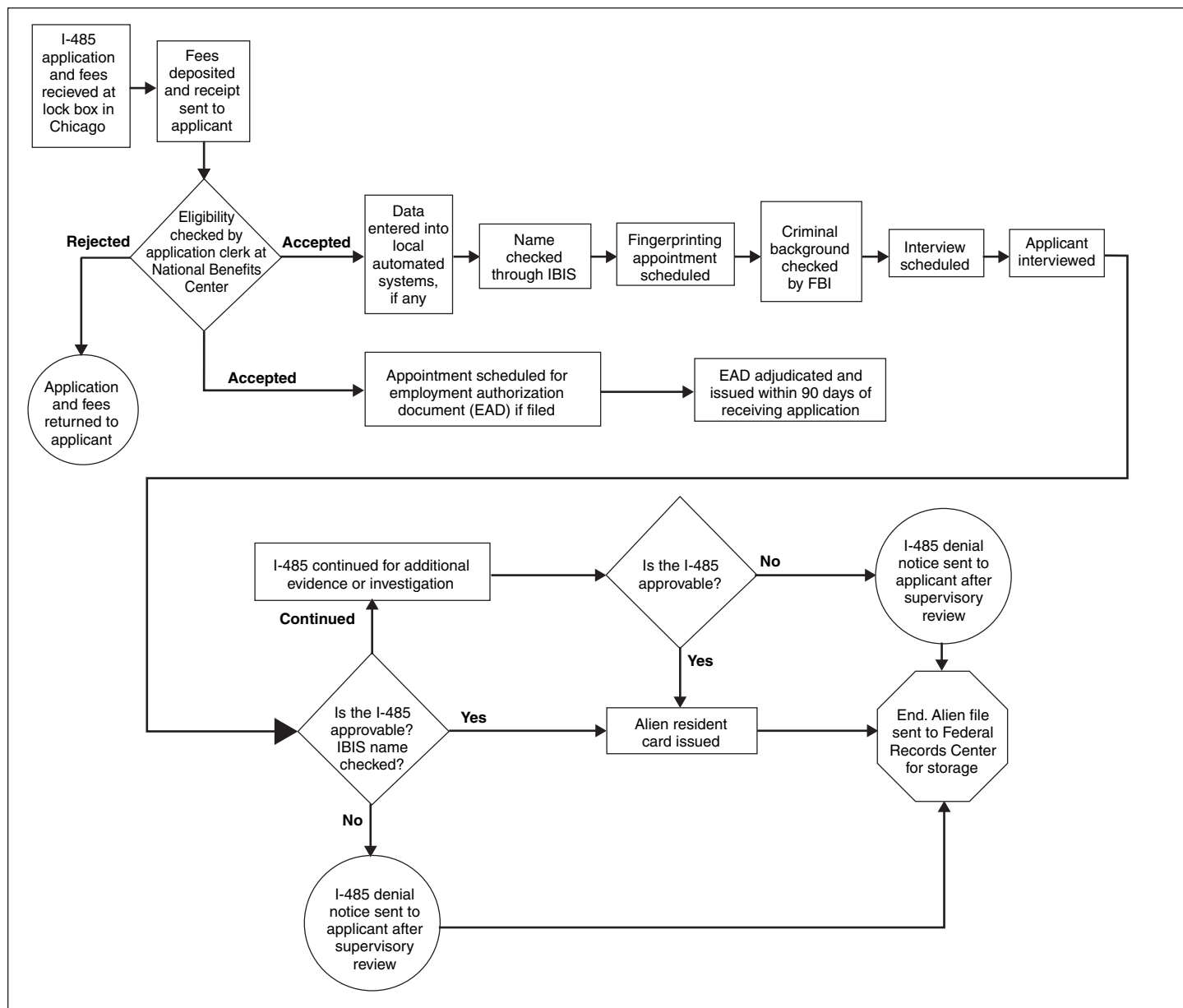
generally adjudicate applications that do not require interviews with the applicants; 78 district and local offices; 31 international offices and 8 asylum offices, which generally adjudicate applications that require interviews; and 129 application support centers, which collect and process biometric information. Appendix II contains a detailed discussion of USCIS's organizational structure. USCIS's application-processing procedures vary by application type and by office. Figures 1 and 2 depict the agency's process for adjudicating naturalization and adjustment of status applications—its two most common and complex application types.

**Figure 1: Steps Involved in Adjudicating Applications for Naturalization (Form N-400)**



Source: GAO analysis of USCIS data.

**Figure 2: Steps Involved in Adjudicating Family-based Applications for Adjustment of Status to Lawful Permanent Resident (Form I-485)**



Source: GAO analysis of USCIS data.

In general, the following tasks are involved in application processing: (1) collect and deposit application fees and issue receipts to applicants; (2) create or request existing alien files; (3) enter applicant data into an



automated system; (4) take applicants' fingerprints and send them to the Federal Bureau of Investigation (FBI) for a criminal history check, including a criminal history check based on the applicant's name (if required by the type of application); (5) review application, and other supporting documents, such as FBI fingerprint check results, marriage certificates, or court dispositions of an arrest; (6) interview applicants (if required by the type of application); (7) administer naturalization tests (for those applying for naturalization); (8) approve or deny cases; (9) notify applicants of USCIS's decisions; or (10) issue a Notice to Appear placing applicant in removal proceedings; and (11) update USCIS's automated systems.

Although USCIS processes about 50 types of immigration benefit applications, its backlog elimination efforts have focused on the 15 application types that make up about 94 percent of its workload. Table 1 lists these 15 application types and their purposes.

**Table 1: Applications and Petitions USCIS Focused On for Backlog Elimination**

Form number	Application type	Purpose
I-485	Adjustment of status	Application for permanent resident status
I-129	Nonimmigrant worker <sup>a</sup>	Employer petition for a nonimmigrant worker
I-539	Extend/change nonimmigrant status	Petition to extend stay as a nonimmigrant or to change status
I-90	Replace/renew permanent resident card	Application to renew or replace permanent resident card in the event of an obsolete card; lost, stolen, mutilated, or destroyed card; or name change
I-130	Petition for alien relative	Petition to establish qualifying relationship between petitioner and an alien relative who wishes to immigrate to the United States
I-131 <sup>b</sup>	Advance parole (travel document)	An extraordinary measure used sparingly to bring an otherwise inadmissible alien to the United States for a temporary period of time because of a compelling emergency
	Reentry permit/refugee travel document	Application for admission to the United States upon return from abroad during the permit's validity, without having to obtain a returning resident visa
I-140	Immigrant worker	Petition for classification of an alien who wishes to immigrate to the United States based on employment
I-751	Removal of conditional status	Petition to remove the conditions on residence based on marriage
I-765	Employment authorization document	Application for employment authorization
I-821	Temporary protected status	Application for temporary immigration status granted to eligible nationals of designated countries
N-400	Naturalization	Application for naturalization
N-600/ 643	Certificate of citizenship	Application for certificate of citizenship based on parentage
I-589	Asylum application	Application for asylum

Form number	Application type	Purpose
I-881	Nicaraguan Adjustment and Central American Relief Act 203 application (NACARA 203)	Application to suspend deportation under section 203 of the Nicaraguan Adjustment and Central American Relief Act (Pub.L. 105-100).
I-867	Credible fear referral	Referral to an asylum officer for credible fear determination

Source: GAO compilation of USCIS information.

<sup>a</sup>A nonimmigrant worker is an alien who is admitted to the United States for a specified job for a specified period of time, but not for permanent residence.

<sup>b</sup>The I-131 form is used for applications for advance parole as well as for applications for refugee travel documents and applications for a reentry permit. For the purposes of backlog elimination progress reporting, USCIS is using these two groupings in reporting progress on this form type.

In October 2000, the Immigration Services and Infrastructure Improvements Act mandated INS, the agency previously responsible for USCIS's functions, to develop a plan to eliminate its backlog of benefit applications. The act defines backlog as the period of time in excess of 180 days (6 months) that an immigration benefit application has been pending before the agency.<sup>10</sup> Moreover, in February 2001, in the President's fiscal year 2002 budget, the Administration proposed a universal 6-month standard for completing adjudication of immigration applications and supported a 5-year, \$500 million initiative to meet this standard. The President reiterated this goal during a naturalization ceremony on July 10, 2001, saying, "Today, here's the goal for the INS: a six-month standard from start to finish for processing applications for immigration. It won't be achievable in every case, but it's the standard of this administration and I expect the INS to meet it."

In May 2001, we reported on the difficulties INS had in managing its workload, resulting in ever-growing backlogs of applications, despite growth in staff and budget.<sup>11</sup> For example, although the agency's efforts to meet production goals for processing naturalization and adjustment of status applications did help reduce backlogs in those areas, backlogs for other application types increased.

Under a 5-year plan starting in March 2002, INS intended not only to eliminate the immigration benefit application backlog, but also to achieve a 6-month processing standard for all applications in every office. The

<sup>10</sup> 8 U.S.C. § 1572(1).

<sup>11</sup> GAO, *Immigration Benefits: Several Factors Impede Timeliness of Application Processing*, [GAO-01-488](#) (Washington, D.C.: May 4, 2001).

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original plan was to eliminate the backlog in 2 years, with the remaining years used to invest in information technology in order to prevent future backlogs. However, in part because of events following the September 11, 2001, terrorist attacks, including attention to national security priorities and agency reorganization, INS's resources were diverted from backlog elimination efforts. For example, adjudicators assumed responsibility for registering and fingerprinting nationals already living in the United States from countries identified as potential threats and for overseeing the student immigration tracking system—functions that have since been transferred to the Immigration and Customs Enforcement (ICE) bureau within DHS. In June 2004, the newly formed USCIS issued a revised backlog elimination plan that proposed to eliminate the backlog of benefit applications by September 30, 2006, and to reduce application completion times to no more than 6 months.

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## USCIS Estimated a Backlog of About 1.2 Million Unadjudicated Applications as of June 30, 2005

As of June 30, 2005, USCIS estimated it had about 1.2 million cases remaining in its backlog, down from 3.7 million at the end of fiscal year 2003. However, USCIS's operational definition of backlog is different than the definition contained in the Immigration Services and Infrastructure Improvements Act of 2000, and its count is not a precise reflection of the number of cases that have been pending for more than 6 months. USCIS defines its backlog generally in terms of its pending workload—that is, the number of applications it has on hand minus the number of applications it has received during a specified period of time, which is 6 months or less, depending on the type of application. It has established targets for each fiscal year for reducing its pending workload, by application type, based upon its estimate of how much time is required to complete each type. Table 2 shows these workload targets by application type and fiscal year.

**Table 2: Workload Targets by Application Type and Fiscal Years 2004, 2005, and 2006**

Form number	Application type/purpose(s)	Targets (months)		
		2004	2005	2006
I-485	Adjustment of status	20	15	6
I-129	Nonimmigrant worker	2	2	2
I-539	Extend/change nonimmigrant status	5	4	3
I-90	Replace/renew permanent resident card	10	8	6
I-130	Petition for relative alien—all	30	16	6
I-131 <sup>a</sup>	Advance parole travel document	3	3	3
	Reentry permit	11	7	3
I-140	Immigrant worker	8	7	6
I-751	Removal of conditional status	15	11	6
I-765	Employment authorization document	3	3	3
I-821	Temporary protected status	6	6	6
N-400	Naturalization	14	10	6
N-600/643	Certificate of citizenship	8	7	6
I-589	Application for asylum	23	14	6
I-881	NACARA 203 application	16	9	6
I-867	Credible fear referral	15 days	15 days	15 days

Source: USCIS's Backlog Elimination Plan, June 16, 2004 update.

<sup>a</sup>The I-131 form is used for applications for advance parole as well as for applications for refugee travel documents and applications for a reentry permit. For the purposes of backlog elimination progress reporting, USCIS is using these two groupings in reporting progress on this form type.

According to USCIS, the data management systems it currently uses to manage its backlog elimination efforts cannot comprehensively produce data to measure and track the time that all applications have been pending, and therefore the agency cannot readily retrieve information on the number of applications that have been pending for more than 180 days, as specified in the definition of backlog in the Immigration Services and Infrastructure Improvements Act of 2000. Instead, USCIS estimates its backlog based on the number of pending applications in excess of the applications it received during the past 6 months. For example, if the agency had received 100,000 applications for benefits in the most recent 6 months and currently had 120,000 cases awaiting adjudication, it would

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report a backlog of 20,000 cases.<sup>12</sup> The agency's rationale for using this proxy is that by consistently completing more applications than are filed each month, the agency should gradually reduce its pending workload of applications to a level at which it can complete all incoming applications within the workload targets established for each application type. Eventually, according to the agency's backlog elimination plan, as long as USCIS is processing all applications received within the past 6 months (or less, depending on the application type's workload target) there should be no backlog because those applications awaiting adjudication should be completed before they become part of the backlog count of applications pending longer than 6 months. However, USCIS's definition of backlog does not guarantee that every applicant requesting a benefit will receive a decision within 6 months of filing.

In our previous work on the benefit applications backlog, we noted that the agency's automated systems were not complete and reliable enough to determine how long it actually takes to process specific benefit applications or to determine the exact size of its backlog.<sup>13</sup> Therefore, we recommended that the former Immigration and Naturalization Service develop the capability and begin to calculate and report actual processing times for applications as soon as reliable automated data are available. USCIS has agreed that ideally it would prefer to base its backlog calculations on the actual age of each pending application. However, the data management system USCIS is currently using to manage its backlog elimination efforts does not have this capability for most application types.<sup>14</sup> Since our recommendation, USCIS has identified requirements for transforming its information technology systems to address deficiencies in its capabilities.<sup>15</sup> Starting in fiscal year 2002, INS and subsequently USCIS

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<sup>12</sup> USCIS measures its progress in reducing the backlog by calculating what it calls "cycle time," the number of past months' receipts that equal the number of applications currently pending. For example, if 120,000 applications were pending and USCIS had received 110,000 applications in the most recent 7 months, and another 20,000 in the eighth month, USCIS would report its cycle time as 7.5 months ( $120,000 - 110,000 = 10,000$ ;  $10,000 / 20,000 = 0.5$  month). Because this cycle time is not a true measure of time, we refer to it in this report as workload.

<sup>13</sup> GAO, *Immigration Benefits: Several Factors Impede Timeliness of Application Processing*, [GAO-01-488](#) (Washington, D.C.: May 4, 2001).

<sup>14</sup> According to USCIS, the agency can produce on-demand reports on processing times for applications for naturalization. However, this capability is limited to this single application type.

<sup>15</sup> USCIS, *Mission Needs Statement for the USCIS IT Transformation* (Washington, D.C.: Mar. 31, 2005).

invested about 2 percent (\$10.5 million) of its funds allocated for backlog elimination in planning for technology improvements. Table 3 shows USCIS's annual expenditures from its backlog elimination funds.

**Table 3: Backlog Elimination Expenditures for Fiscal Years 2002 through 2005 (in thousands of dollars)**

Fiscal year	Temporary adjudication officers	Field office overtime	Records operation	Service center mail and data entry	Information technology case management system	Grand total by fiscal year
2002	\$45,404	\$20,500	\$15,584	\$14,512	\$4,000	\$100,000
2003	46,281	21,000	16,000	14,719	2,000	100,000
2004	47,901	15,000	18,000	17,099	2,000	100,000
2005 est.	107,401	15,000	18,000	17,099	2,500	160,000
<b>Total</b>	<b>\$246,987</b> <b>(53.69%)</b>	<b>\$71,500</b> <b>(15.54%)</b>	<b>\$67,584</b> <b>(14.69%)</b>	<b>\$63,429</b> <b>(13.79%)</b>	<b>\$10,500</b> <b>(2.28%)</b>	<b>\$460,000</b>

Source: USCIS Budget Office.

Included in USCIS's technology transformation effort is the design and implementation of a new, integrated case management system that should provide the agency with the capability to produce management reports on the age of all pending benefit applications. USCIS considers this new case management system to be one of the most critical components of its technology transformation and plans to begin implementation in fiscal year 2006. However, this information technology transformation effort is still in the early stages of planning, and USCIS does not expect these systems, including the new case management system, to be fully deployed before fiscal year 2010. Until USCIS develops the ability to track the actual age of individual applications, it will not be able to provide accurate information about the actual number of applications that have been pending in excess of 180 days or the actual amount of time they have been pending.

## USCIS Has Undertaken Several Short- and Longer-Term Actions to Eliminate Its Backlog

USCIS has taken several actions to eliminate its benefit application backlog and to reduce the time it takes to process benefit applications. The most immediate short-term action was to hire temporary adjudicators—whose terms expire within 4 years—to address the backlog. In addition, USCIS began to implement longer-term strategies to eliminate the backlog, such as reallocating staff and reprioritizing the order in which the agency adjudicates petitions for alien relatives. The agency also has revised its guidance to increase the efficiency of application processing

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and has proposed related changes to its regulations. Finally, it has experimented with different processes to expedite application adjudication and is considering adopting best practices identified from those pilot programs. In addition to its efforts to reduce the backlog by September 30, 2006, the agency has developed a staffing allocation model and is planning a major transformation of its information technology systems to prevent future backlogs. According to the model, USCIS must fill positions that are currently vacant and better balance the number of adjudicator staff among the field office locations. USCIS's proposed information technology transformation is intended to support the prevention of future backlogs by upgrading its information technology infrastructure, providing better data management support, and developing new business processes. However, it is still in the early stages of planning.

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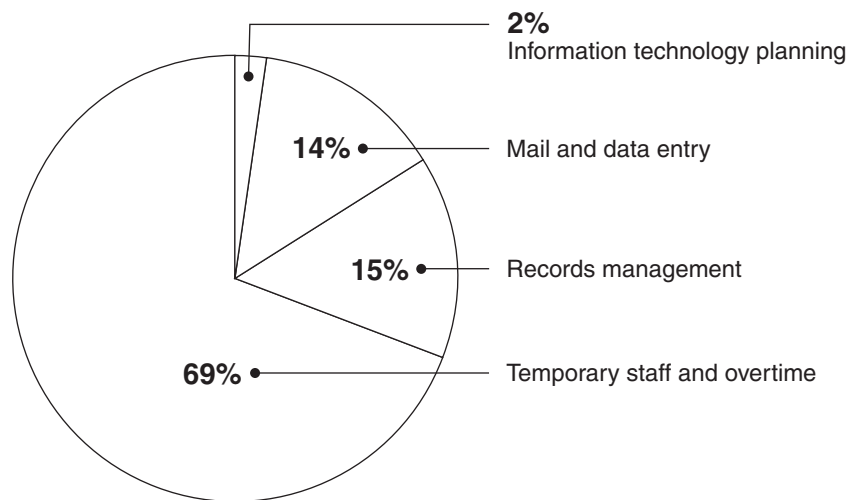
### USCIS Hired Temporary Adjudicators and Supported Overtime Work

Beginning in fiscal year 2002, USCIS has added about 1,100 temporary adjudicators to address the backlog. As figure 3 shows, from fiscal year 2002 through fiscal year 2005, the agency allocated about 70 percent of its backlog elimination funds for these temporary adjudicators and to overtime pay.<sup>16</sup> USCIS allocated the remaining 30 percent to information technology planning, mail and data entry, and records management.

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<sup>16</sup> With the exception of premium fees for expedited processing, these funds do not include the benefit application processing fees USCIS is authorized to collect.

**Figure 3: Allocation of USCIS's Backlog Elimination Funds, Fiscal Years 2002 through 2005**



Source: GAO analysis based on USCIS data.

### USCIS Reallocated Adjudicator Staff and Focused on Processing Applications for Which Benefits Can Be Provided Immediately

USCIS has applied several approaches to balancing its workload and improving the processing time for benefit applications. For example, between September 2003 and September 2004, USCIS transferred hundreds of applications for Adjustment of Status to Lawful Permanent Resident from the Chicago district office to the San Antonio district office for adjudication, because the Chicago office's workload exceeded its adjudicator capacity. Another approach has been to temporarily detail adjudicators from overstaffed offices to understaffed offices. For example, as of September 2005, USCIS officials said that about 50 adjudicators from central and western region district offices had been detailed to the New York district office and the Garden City, New Jersey suboffice. In addition, another 40 adjudicators were detailed to the Atlanta and Miami district offices.

USCIS has also reprioritized the order in which it adjudicates petitions for alien relatives. Because these relatives are subject to annual limits on the number of available immigration visas, even if USCIS were to find an alien relative eligible to immigrate, that alien could not immigrate if a visa were not available. Therefore, in July 2004, USCIS decided to focus its efforts on adjudicating only those petitions for alien relatives where a visa was immediately available. According to USCIS, by setting aside those



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petitions for which a visa was not immediately available, the agency has been able to concentrate its efforts on those petitions for alien relatives who can immigrate immediately. Therefore, USCIS officials say, this approach has enabled the agency to increase its meaningful completions of petitions for alien relatives. Because of this policy change, USCIS has also removed those cases for which a visa is not available from its count of backlogged cases, eliminating approximately 1.15 million cases from its backlog count of about 3.7 million.<sup>17</sup>

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### To Boost Efficiency in Processing Benefit Applications, USCIS Proposed Regulations to Streamline Processes and Revised Guidance

USCIS has proposed or undertaken changes in regulations and processes to boost efficiency in processing benefit applications. While the results of these efforts should help eliminate the backlog and reduce time for completing applications, we did not evaluate the effects of these changes on backlog reduction and adjudication quality.

#### Waiving Interview Requirements

As one of these streamlining efforts, the director of domestic operations for USCIS issued a memo in January 2005 revising its interview waiver requirements for adjustment of status applications. According to USCIS, the intent of the revised guidance is to more clearly define the circumstances in which service centers should transfer adjustment applications to district offices for interviews, which increases the time needed to adjudicate the case. In the summer of 2005, USCIS reviewed an informal sample of pending applications filed at the National Benefits Center to determine the percentage of adjustment applications that met the criteria for an interview waiver and found that about 20 percent met the criteria. In July 2005, USCIS began directing adjustment of status application packages that met the interview waiver criteria to the California service center for adjudication.<sup>18</sup> According to USCIS, this process will alleviate some of the burden on offices that are struggling to meet backlog elimination targets and provide relief to offices that are currently sending staff to provide assistance.

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<sup>17</sup> For the purposes of calculating its backlog, USCIS does not include these cases. However, these cases remain in USCIS's count of pending cases.

<sup>18</sup> The adjustment of status package consists of the application to adjust status, in addition to ancillary applications and petitions, such as applications for travel documents, petitions for alien relatives, and applications for employment authorization.

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Regulatory Changes and  
Clarifying Guidance to  
Adjudicators for Requests for  
Additional Evidence and  
Notices of Intent to Deny

USCIS has issued clarifying guidance and is seeking to amend regulations that address when Requests for Evidence (RFE) and Notices of Intent to Deny (NOID) are required. Currently, federal regulations require USCIS to issue an RFE when initial evidence or eligibility information is missing from an application or petition, and in each case, USCIS is required to provide applicants with 12 weeks to respond. USCIS also has the discretion to issue an RFE for additional evidence and must give applicants 12 weeks to respond.<sup>19</sup> Additionally, in some cases, federal regulations require USCIS to issue a NOID before denying benefits. These regulations normally require that applicants be given 30 days to respond to a NOID. In November 2004, a proposed rule was published in the *Federal Register* that would generally give USCIS discretion to issue an RFE or NOID and would allow USCIS to determine whether additional information is required to decide cases. Additionally, the rule proposes to replace the current 12-week response period with a more flexible approach that would allow USCIS to set deadlines based on factors such as type of benefit requested or type of application or petition filed. USCIS officials expect that reducing the number of RFEs and NOIDs required to be issued will reduce the average case-processing time by reducing the time a case is held awaiting decision and decreasing administrative burden. However, in commenting on the proposed rule, the American Immigration Lawyers Association expressed concern that USCIS is placing a higher priority on streamlining processes than on maintaining due process protections for applicants. In its comments, the association said that the proposed rule has no safeguards for ensuring that cases will be fairly adjudicated and that denying applications instead of giving applicants an opportunity to submit additional evidence results in a significant growth of arbitrary and capricious decisions. The final rule is still under review at USCIS.

USCIS also issued guidance in February 2005 designed to increase the efficiency of application processing in cases involving RFEs and NOIDs under current regulations. Among issues covered in this guidance are appropriate circumstances to approve and deny benefits without issuing an RFE or NOID and how to choose between RFEs and NOIDs. Further, the guidance included instructions to limit RFEs and NOIDs to specific items of missing evidence. USCIS included these instructions because it found that adjudicators were, in some instances, issuing unnecessarily

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<sup>19</sup> 8 C.F.R. § 103.2(b)(8).

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### Interim Regulatory Changes to Employment Authorization Validity Period

broad requests, which wasted adjudicator resources on review of unnecessary, duplicative, or irrelevant documents.

In July 2004, USCIS published an interim rule in the *Federal Register* that allows it more flexibility in establishing the length of validity for Employment Authorization Documents (EAD).<sup>20</sup> Previously, federal regulations required USCIS to limit the time EADs were valid to 1 year for specific types of applicants who applied for employment authorization. The interim rule removes regulatory language limiting EAD validity periods to 1 year. Under the interim rule, USCIS can determine the appropriate length of time, up to 5 years, for EADs to remain valid by using certain criteria such as an applicant's immigration status, processing time of the underlying application or petition, and background checks. USCIS officials said they expect that the ability to set longer validity periods for some types of applicants covered by the current regulation could reduce the adjudicative resources dedicated to processing renewals, thus allowing them to use this time to process new pending Applications for Employment Authorization. Although the flexibility to set the length of EAD validity is available, USCIS is currently restricting its EAD validity periods to 1 year.

### Creation of a Specialized Fraud Unit

According to USCIS officials, fraudulent applications have slowed the adjudication process. Because USCIS has not systematically tracked the occurrences of fraud, the agency has not been able to determine with any precision the extent to which fraud slows the adjudication process. In 2003, USCIS created the Office of Fraud Detection and National Security (FDNS) and revised its standard operating procedures to, among other things, help adjudicators identify fraudulent benefit applications and remove them from the processing stream. FDNS is currently developing a data system to track occurrences of fraud. In addition, to ensure that all fraud leads are collected and entered into this data system, adjudicators are now required by FDNS's fraud referral process to send all cases meeting the minimum criteria for suspected fraud to FDNS immigration officers, even if the adjudicator has sufficient evidence to deny the application or petition.

According to USCIS officials, FDNS's fraud referral process—used in the district offices, service centers, and asylum offices—begins with an adjudicator's review of applications, petitions, supporting documentation,

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<sup>20</sup> The interim rule was codified at 8 C.F.R. § 274a.12.

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interviews, and other records. If the adjudicator discovers conflicting or otherwise unfavorable information that would lead a reasonable person to question the credibility of the applicant or petitioner, the adjudicator is to submit the application or petition to FDNS along with a list of general fraud indicators and a brief narrative explaining the nature of the suspected fraud that could render an applicant ineligible for the benefit sought. An FDNS immigration officer is to then conduct a variety of systems checks and additional research in an effort to verify the suspected fraud. If fraud is verified, the case is to be forwarded to the FDNS Fraud Detection Unit at the appropriate service center for review and possible referral to the Benefit Fraud Unit within ICE. According to USCIS, ICE has agreed to notify USCIS within 60 days whether it will accept or reject a request for investigation by the FDNS Fraud Detection Unit. If ICE declines the request for investigation, USCIS is to continue to pursue the information necessary to render a proper adjudication. If ICE investigates and verifies the suspected fraud, the FDNS immigration officer is to provide a written report to the adjudicator for preparation of the appropriate notice or decision. We did not evaluate the effectiveness of USCIS's fraud referral process as part of this review, but we plan to issue a separate report later this year on the nature and extent of immigration benefit fraud and the control mechanisms USCIS has in place to detect and deter fraud.

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### USCIS Is Considering Adopting Certain Successful Practices from Pilot Project Experiments

The Homeland Security Act of 2002 created the Office of the Citizenship and Immigration Services (CIS) Ombudsman within the Department of Homeland Security, but independent of USCIS.<sup>21</sup> The Ombudsman's role is to enhance the administration and delivery of citizenship and immigration services by identifying problems and proposing recommendations to eliminate major systemic obstacles to efficiency. Further, the Ombudsman is to work closely with DHS leadership in providing policy, planning, and program advice on immigration matters. In response to recommendations made in the CIS Ombudsman's 2004 annual report, USCIS conducted a number of pilot projects designed to reduce benefit application-processing times and is considering adopting several practices it determined to be successful.<sup>22</sup> The agency studied the processing of two types of applications during the pilots—applications to replace permanent resident

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<sup>21</sup> 6 U.S.C. § 272(a).

<sup>22</sup> Citizenship and Immigration Services Ombudsman, *Annual Report 2005* (Washington, D.C.: June 30, 2005).

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cards (form I-90) and applications to register permanent residence or adjust status (form I-485). The applications to adjust status pilots involved both petitions for alien relatives (form I-130) and petitions for immigrant workers (form I-140).

During the period March 2004 through November 2004, USCIS conducted a pilot program designed to reduce processing time for applications for permanent resident cards. The pilot, conducted in the Los Angeles area, allowed for electronically filed permanent resident cards to be processed at application support centers, where applicants have their initial contact with the agency and have their photographs and fingerprints taken. Data showed that over 10,000 permanent resident cards were processed at Los Angeles application support centers and 88 percent were approved during the initial contact. During the pilot, average processing times were reduced from over 8 months to about 2 weeks. USCIS's Performance Management Division has recommended that USCIS implement the pilot nationwide.<sup>23</sup>

Beginning in March 2004 and May 2004 respectively, USCIS conducted pilot programs in the New York and Dallas district offices that focused on testing new processes for adjudicating family-based applications for adjustments of status within 90 days. Each sought to streamline and accelerate application processing by shifting aspects of processing responsibility from the National Benefits Center to the district offices. Besides reducing the backlog, one of the advantages of the ability to process adjustments of status within 90 days is reducing issuance of interim documents such as travel documents and employment authorizations. USCIS is generally required by regulation to grant interim employment authorization documents to applicants whose adjustment of status applications have not been adjudicated within 90 days.<sup>24</sup> In such cases, the adjudication process, including background checks, may not have been completed prior to the issuance of these documents.<sup>25</sup>

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<sup>23</sup> The Performance Management Division is charged with developing the USCIS backlog elimination plan and monitoring progress against the plan, developing and managing the National Quality Program, analyzing and recommending resource allocation, and performing statistical data analysis.

<sup>24</sup> 8 C.F.R. § 274a.13(d). 8 CFR § 274a.12(c) states that USCIS has discretion to establish a specific validity period for an employment authorization document.

<sup>25</sup> USCIS checks applicant names with its Interagency Border Inspection System before issuing an Employment Authorization Document.

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Therefore, in some instances benefits may be issued to applicants whose eligibility and potential risk to national security have not been fully determined.

The New York pilot employed a process similar to the standard process of sending applications to a centralized location for receiving fees, conducting the initial processing, and initiating checks of records. Applicants were to be scheduled for an interview as soon as records checks were complete—with emphasis on completing these within 90 days. The New York pilot also placed particular emphasis on fraud deterrence. USCIS ultimately determined that the New York pilot was unsuccessful and terminated it, because, among other things, it failed to facilitate the adjudication of the majority of applications within 90 days and presented a fairness issue for earlier-filed cases.

The Dallas pilot employed an up-front processing model that allowed applicants to be interviewed on the same day the application was filed. Data from Dallas showed that adjustment of status applications were completed, on average, within 90 days in 58 percent of cases where applications were processed using this up-front processing model. Moreover, according to the June 2005 CIS Ombudsman report, during the last weeks reported, the Dallas office was processing 71 percent of applications within 90 days, using the up-front processing model. Further, the Ombudsman's report indicated that USCIS issued fewer interim benefits using the up-front processing model—approximately 20 percent of cases compared with approximately 85 percent nationally. Although the Dallas pilot showed improvements in adjustments of status within 90 days using the up-front model, USCIS raised several concerns during its evaluation, including concerns that (1) some inefficiencies resulted from the fact that information required to process applications was sometimes incomplete, as was the case when criminal history checks were not complete; (2) the pilot could not meet the Department of the Treasury's regulations requiring fees to be deposited within 24 hours; and (3) there were equity concerns because the pilot involved processing recently received applications before those filed earlier.

Despite concerns USCIS raised in evaluating the Dallas pilot project, beginning in April 2005, USCIS began a phased implementation of up-front processing through its National Benefits Center central processing hub. Using elements of processes tested in the Dallas and New York pilot projects, USCIS has implemented up-front processing at three district offices—San Diego, San Antonio, and Buffalo—that did not have a backlog of adjustment of status applications when implemented. USCIS anticipates

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expanding the number of offices on a quarterly basis as they become current in their processing so that applicants with pending applications are not disadvantaged. The pilot in Dallas will also continue as long as USCIS determines that additional information may be gleaned and until the district office becomes current in processing applications.

In March 2004, a third adjustment of status pilot for employment-based applications was implemented at the California service center. The focus was to adjudicate within 75 days petitions for immigrant workers with advanced degrees concurrently with the associated applications for adjustment of status. Included among the pilot's objectives were to (1) reduce the issuance of interim benefits to ineligible applicants, (2) identify frivolous and fraudulent filings designed to obtain interim benefits, and (3) reduce the number of additional background checks required for adjudication. This pilot identified eligible applications and initiated security checks as applications were filed. According to the pilot's subsequent evaluation report, when security checks were complete and no adverse information was detected, USCIS ordered permanent resident cards for these applicants.<sup>26</sup> During this pilot, USCIS processed about 30 percent of immigration petitions and 25 percent of adjustment of status applications within the target time frame. As with the other pilots, processing newly filed petitions and applications before those filed earlier was a concern. Additionally, USCIS expressed concern about the amount of time and resources required to manage the pilot, as well as the length of time it took the FBI to conduct background checks for aliens in certain high-tech occupations. Ultimately, USCIS deemed the pilot inefficient and adverse to the service center backlog elimination goals because resources were diverted from addressing backlogged cases.

Among the recommendations proposed in its 2005 annual report to Congress, the CIS Ombudsman advocated that USCIS adopt the up-front processing model piloted in Dallas for all adjustment of status applications.<sup>27</sup> The Ombudsman report states that overall the pilots show that up-front processing does work and is preferable to USCIS's current business processes because it can reduce workload, improve completion rates, enhance customer satisfaction and reduce issuance of interim

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<sup>26</sup> USCIS, *USCIS Pilot Project Evaluation: California Service Center Backlog Elimination Pilot* (Washington, D.C.: May 19, 2005).

<sup>27</sup> Citizenship and Immigration Services Ombudsman, *Annual Report 2005* (Washington, D.C.: June 30, 2005).

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benefits. However, according to USCIS officials, the report did not address the inefficiencies resulting from the delay of required information, the inability to meet the Department of the Treasury's deposit regulations, and the inequity of processing newer applications before those filed earlier that USCIS identified during the pilot. Moreover, USCIS officials said the agency does not plan to implement the up-front processing model at district offices with a backlog of adjustment of status applications, because of these concerns.

The 2005 Ombudsman report also noted the indirect effect that reducing the backlog could have on the fee revenue on which USCIS services are based. For example, USCIS is required to provide an interim work permit to applicants whose applications for adjustment of status have not been adjudicated within 90 days. These interim work permits are valid for 240 days. At their expiration, the applicant must apply, and pay a fee, for a renewal permit. This process could be repeated if the underlying application for adjustment of status continues unadjudicated. To the extent, however, that USCIS efforts are successful in reducing the time for adjudicating adjustment of status applications, the need for interim work permits will be correspondingly reduced, as will the fee revenue resulting from them. The Ombudsman's report does not estimate the extent of this lost revenue, but it does estimate that in fiscal year 2004, fee revenue from all work permit applications (not just interim permit applications) filed in connection with applications for adjustment of status totaled \$135 million, approximately 10 percent of total USCIS revenue in that year.<sup>28</sup>

USCIS acknowledges that some revenue loss will result from its backlog elimination efforts. On the other hand, it expects that elimination of the backlog will reduce the need for staff assigned to this effort and consequently result in savings. As applications for interim benefits decline, savings in processing costs will be realized, although it is unknown whether they would be commensurate with the loss in revenue.<sup>29</sup> According to USCIS, revenue loss estimates are under review.

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<sup>28</sup> The report also estimates that another \$51 million in application fees for other interim benefits is associated with applications for adjustment of status.

<sup>29</sup> USCIS does not charge fees for adjudicating certain applications for benefits, such as the Application for Asylum. Consequently, fees charged for other benefits—including interim benefits—must subsidize processing costs for fee-exempt applications. In addition, as we recently reported ([GAO-04-309R](#)), USCIS cannot currently determine the exact costs of processing individual applications for benefits.



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## USCIS Developed a Staffing Model to Help Prevent Future Backlogs

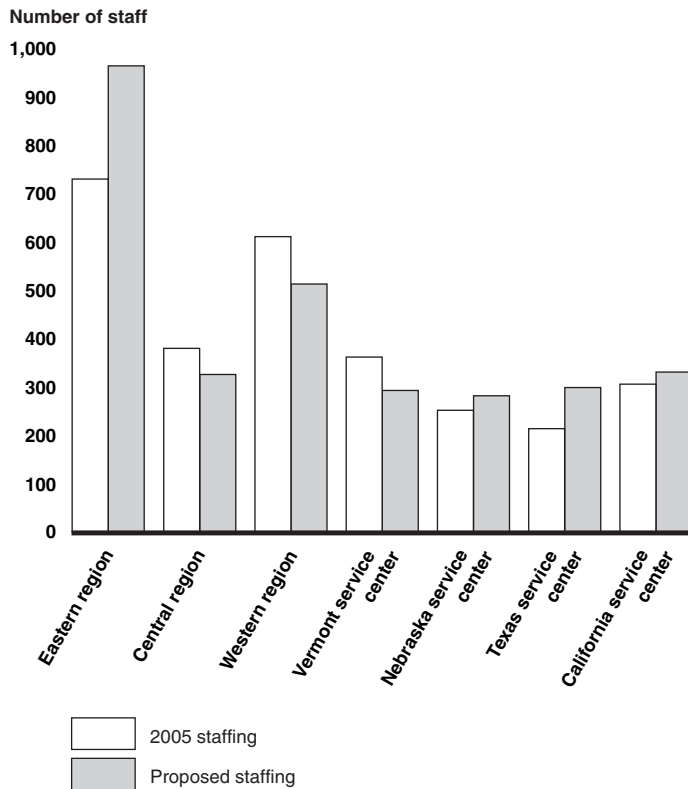
In May 2005, USCIS finalized a staffing allocation model that addresses how many and where staff are needed to better match projected workloads. On the basis of this model, USCIS determined it must (1) retain the temporary adjudicators currently on hand (about 1,100) through the end of fiscal year 2006 and (2) fill vacancies to increase its level of permanent adjudicator staff by 27 percent (about 460) to maintain productivity and prevent future backlogs through fiscal year 2007.<sup>30</sup> According to USCIS, it is reasonable to assume that vacant permanent positions will be filled in large part from within the existing cadre of temporary adjudicators.

The staffing allocation model also projects the alignment of personnel at each USCIS office through fiscal year 2007—one of the essential elements of USCIS’s strategy to prevent future backlogs, according to the Associate Director for Operations. As previously discussed, USCIS’s distribution of adjudicators across field offices does not match the distribution of the workload across field offices. To rectify this staffing imbalance, USCIS finalized a staffing allocation model in May 2005 that addresses how many and where staff are needed to better match projected workloads. For example, because district offices in the eastern region have the smallest proportion of staff to workload, the staffing allocation model calls for about 37 percent of the total needed permanent positions (about 170) to be filled there. Figure 4 shows the distribution of adjudicator staff in the regions and the service centers as of January 2005 compared with the proposed distribution that USCIS believes is required through fiscal year 2007 to maintain productivity and prevent future backlogs.

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<sup>30</sup> Beginning in fiscal year 2002, USCIS began hiring temporary adjudicators to help eliminate the backlog for terms of 4 years. Terms for these temporary adjudicators will begin to expire in fiscal year 2006.

**Figure 4: Adjudicator Staff Distribution Compared with USCIS's Proposed Redistribution**



Source: GAO analysis of USCIS's Performance Analysis System data.

This kind of planning is consistent with the principle of integration and alignment that we have advocated as one of the critical success factors in human capital planning. As we have previously reported, workforce planning that is linked to strategic goals and objectives can help agencies be aware of their current and future needs such as the size of the workforce and its deployment across the organization. In addition, we have said that the appropriate geographic and organizational deployment of employees can further support organizational goals and strategies.<sup>31</sup>

<sup>31</sup> GAO, *Comptroller General's Forum: High Performing Organizations-Metrics, Means and Mechanisms for Achieving High Performance in the 21st Century Public Management Environment*, [GAO-04-343SP](#) (Washington, D.C.: Feb. 3, 2004).

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USCIS has used a significant portion of its funds for backlog elimination efforts to hire and pay temporary adjudicators. According to USCIS's budget director, the agency's projected fee revenues and spending authority in fiscal year 2006 are sufficient to absorb the cost of additional permanent adjudicators called for in the staffing allocation model.<sup>32</sup> Finally, USCIS officials said that the need for future staffing adjustments could be offset by future efficiencies gained during its transition to more robust information technology capabilities. We have previously reported that leading organizations consider how new initiatives, such as new technologies, affect human capital in their strategic workforce documents.<sup>33</sup> However, USCIS's current allocation staffing model does not consider these expected productivity gains. Reflection of these expected gains in its staffing allocation model should improve USCIS's ability to make strategic staffing decisions.

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### To Help Prevent Future Backlogs, USCIS Has Proposed an Information Technology Transformation Plan

In a February 2004 hearing before the House Subcommittee on Immigration, Border Security, and Claims, USCIS Director Aguirre testified that "technology is, without a question, the only way we are going to get out of this horrible backlog that we have."<sup>34</sup> Accordingly, USCIS has identified requirements for transforming its information technology by upgrading the agency's information technology capabilities to support the prevention of future backlogs and for other purposes. In March 2005, the Director of USCIS approved the agency's mission needs statement (MNS), and in April 2005, the DHS Joint Requirements Council approved the MNS,<sup>35</sup> which outlines the purpose of technology transformation and the requirements to address deficiencies in its current information technology capabilities.<sup>36</sup> The MNS focuses on three modernization efforts: (1)

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<sup>32</sup> Effective October 26, 2005, USCIS will increase fees for immigration benefit applications on average about \$10 per application to account for inflation. These increases will apply to applications and petitions filed on or after October 26, 2005.

<sup>33</sup> GAO, *Executive Guide: Measuring Performance and Demonstrating Results of Information Technology Investments*, [GAO/AIMD-98-89](#) (Washington, D.C.: March 1998).

<sup>34</sup> "Funding for Immigration in the President's 2005 Budget," Hearing before the Subcommittee on Immigration, Border Security, and Claims, Committee on the Judiciary, House of Representatives, Feb. 25 and Mar. 11, 2004, Serial No. 68., Washington, D.C., p. 49.

<sup>35</sup> The DHS Joint Requirements Council is a review board that reviews and validates mission needs statements for proposed programs as well as their cross-functional needs and requirements, and makes recommendations on proposed new programs.

<sup>36</sup> USCIS, *Mission Needs Statement for the USCIS IT Transformation* (Washington, D.C.: Mar. 31, 2005).

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upgrading information technology infrastructure—including improved desktops, servers and network computers; (2) creating an integrated foundation to support data management and business processes among multiple systems; and (3) developing new business processes—for example, the ability to adjudicate cases electronically. We have long been proponents of federal agencies having a strong Chief Information Officer (CIO) to address information and technology management challenges, and the Clinger-Cohen Act of 1996 requires agency heads to designate CIOs to lead technology reforms.<sup>37</sup> In April 2004, USCIS established an Office of the Chief Information Officer and in June 2005 began the process of aligning information technology under the CIO's authority.

According to the MNS, the plan to transform USCIS's information technology will address several deficiencies in the agency's current information technology environment, including (1) inadequate ability to meet changing business requirements, (2) need for improved efficiency to maintain processing time goals and prevent the occurrence of backlogs, (3) inadequate information technology oversight and governance, (4) inconsistent access and data integrity controls, and (5) paper records systems that are not cost-effective and do not comply with the paperwork reduction act. Moreover, the MNS outlines several ways in which information technology transformation is intended to support the DHS strategic goals of prevention, service, and organizational excellence. For example, according to the MNS, by upgrading the technical infrastructure, USCIS can leverage the improved security features available in newer operating systems, thereby supporting the objective of the DHS prevention goal, which aims to ensure the security and integrity of the immigration system.

According to the MNS, implementation of the information technology infrastructure is scheduled to be complete by fiscal year 2011. Prior to the proposed information technology program, USCIS had begun developing several information systems to enhance its information technology capabilities, which are reflected in the MNS. Among the systems are the Background Check Service, the Biometric Storage System, and an integrated case management system. These systems are designed to manage and automate security check information, to store and retrieve biometric data, and to manage case data in a paperless environment.

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<sup>37</sup> GAO, *Federal Chief Information Officers: Responsibilities, Reporting Relationships, Tenure, and Challenges*, [GAO-04-823](#) (Washington, D.C.: July 21, 2004).

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Appendix III describes selected systems included in the MNS and their projected completion dates in greater detail. According to USCIS officials, as of September 2005, the MNS is being evaluated by the DHS's deputy secretary and is also awaiting review and approval by DHS's Investment Review Board. Although the transformation plan is still in the early stages of review, USCIS estimates this information technology modernization, as currently envisioned, will cost on a rough order of magnitude about \$1.4 billion over 5 years. However, according to officials, the agency is revisiting this preliminary estimate to reflect recently completed business process reengineering efforts and budget realities. Moreover, USCIS has not yet settled on a funding strategy. The agency is considering a number of funding options such as temporarily raising fees, leveraging fees generated from new initiatives such as the proposed temporary worker program, and requesting appropriations, among other alternatives.

The MNS does not include consideration of whether and to what extent the proposed technology transformation would be expected to have an effect on staffing levels and use. We have reported in our work on demonstrating results of information technology investments that leading organizations evaluate both the overall performance of the information technology function and the outcomes for individual technology investments.<sup>38</sup> In addition, we have reported that high-performing, client-focused organizations must take into account relationships among people, processes, and technology.<sup>39</sup> Further, significance in resource administration is one of the early-stage approval criteria listed in DHS's management directive on technology investments.<sup>40</sup> Consideration of the expected productivity gains could help both the agency and Congress make informed decisions about the appropriate level and timing of investment in technology upgrades and staffing resource allocation.

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<sup>38</sup> [GAO/AIMD-98-89](#).

<sup>39</sup> [GAO-04-343SP](#).

<sup>40</sup> The Department of Homeland Security, Management Directive, Investment Review Process, MD-1400.

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## Despite Progress, USCIS Seems Unlikely to Eliminate the Backlog for All Application Types in Every Office by September 30, 2006

Although USCIS has made progress in reducing its backlog of benefit applications as it defines backlog, it seems unlikely that USCIS will meet its September 30, 2006, goal of reducing the number of pending applications to a level no greater than the previous 6 months' receipts for every form type at every office. It will be particularly difficult for USCIS to meet the progressively more ambitious targets it has set for completing some of the more complex benefit applications—specifically for applications for adjustment of status and applications for naturalization<sup>41</sup>—by September 30, 2006. Furthermore, although USCIS officials have stated that the agency has sufficient staff resources to process its overall projected workload by the end of fiscal year 2006, in certain offices, where the volume of applications exceeds adjudicator staff capacity, the backlog may remain. Additionally, external factors beyond USCIS's immediate control may limit the feasibility of achieving its goal, such as the need for extended background checks, availability of entry visas, and possible legislative changes.

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## USCIS Met Targets for Processing Pending Applications in 2004, but May Have Difficulty Meeting More Ambitious Targets for Fiscal Year 2006 for the Two Most Complex Application Types

USCIS met all of its 2004 targets for processing its workload of pending applications and as of June 30, 2005, was showing progress toward meeting its workload targets for fiscal year 2005 for most application types. However, performance so far indicates it may have difficulty achieving the much more ambitious targets it set for fiscal year 2006 for at least two of the more complex application types. To ensure progress toward meeting its goal of achieving a pending workload of applications no greater than the number of applications it received during the previous 6 months, USCIS established progressively more stringent targets. For the application types included in the backlog elimination plan, table 4 shows the size of USCIS's workload—that is, the months of receipts pending

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<sup>41</sup> According to USCIS, these applications are more complex than most other form types and require more time to adjudicate, because the applications are longer and a greater number of processes have to be applied to each, such as interviews, name checks, fingerprint checks, and Interagency Border Inspection System checks.

adjudication—as of June 2005, the latest available data, and the workload targets established for fiscal years 2004 through 2006.<sup>42</sup>

**Table 4: Months of Receipts Pending as of June 2005 Compared with Targets by Application Type for Fiscal Years 2004, 2005, and 2006**

Form number	Application type/purpose(s)	Months of receipts pending	Targeted number of months of receipts pending		
		June 2005	2004	2005	2006
I-485	Adjustment of status	15.2	20 ●	15 ○	6 ○
I-129	Nonimmigrant worker	1.1	2 ●	2 ●	2 ●
I-539	Extend/change nonimmigrant status	2.6	5 ●	4 ●	3 ●
I-90	Replace/renew permanent resident card	2.8	10 ●	8 ●	6 ●
I-130 <sup>a</sup>	Petition for alien relative—all	24.9	30 ●	16 ○	6 ○
	Petition for alien relative with visa available	9.6	30 ●	16 ●	6 ○
I-131 <sup>b</sup>	Advance parole travel document	2.1	3 ●	3 ●	3 ●
	Reentry permit	3.5	11 ●	7 ●	3 ○
I-140	Immigrant worker	5.9	8 ●	7 ●	6 ●
I-751	Removal of conditional status	9.5	15 ●	11 ●	6 ○
I-765	Employment authorization document	2.8	3 ●	3 ●	3 ●
I-821	Temporary protected status	4.8	6 ●	6 ●	6 ●
N-400	Naturalization	12.2	14 ●	10 ○	6 ○
N-600/643	Certificate of citizenship	7.1	8 ●	7 ○	6 ○
I-589	Application for asylum	11.5	23 ●	14 ●	6 ○
I-881	NACARA 203 application	13.1	16 ●	9 ○	6 ○
I-867	Credible fear referral	<1	<1 ●	<1 ●	<1 ●

- Target met
- Target not met

Source: USCIS Performance Analysis System; USCIS Backlog Elimination Plan, updated June 16, 2004.

<sup>a</sup>For the purposes of reporting progress toward meeting workload targets, USCIS reports progress on I-130 petitions in these two groupings.

<sup>b</sup>The I-131 form is used for applications for advance parole as well as for applications for refugee travel documents and applications for a reentry permit. For the purposes of backlog elimination progress reporting, USCIS is using these two groupings in reporting progress on this form type.

<sup>42</sup> USCIS generally calculates its pending workload by counting back the number of preceding months until the sum of the monthly applications received equals the current month's number of applications awaiting adjudication. Unlike other USCIS cycle times, which are based on receipts, the Asylum Division's cycle times are based on completions. For I-589 and I-881 applications, cycle time is calculated by dividing the number of pending cases by the average number of cases completed each month over the last 12 months. The backlog equals the number of pending cases greater than 6 times the average number of cases completed each month over the last 12 months.

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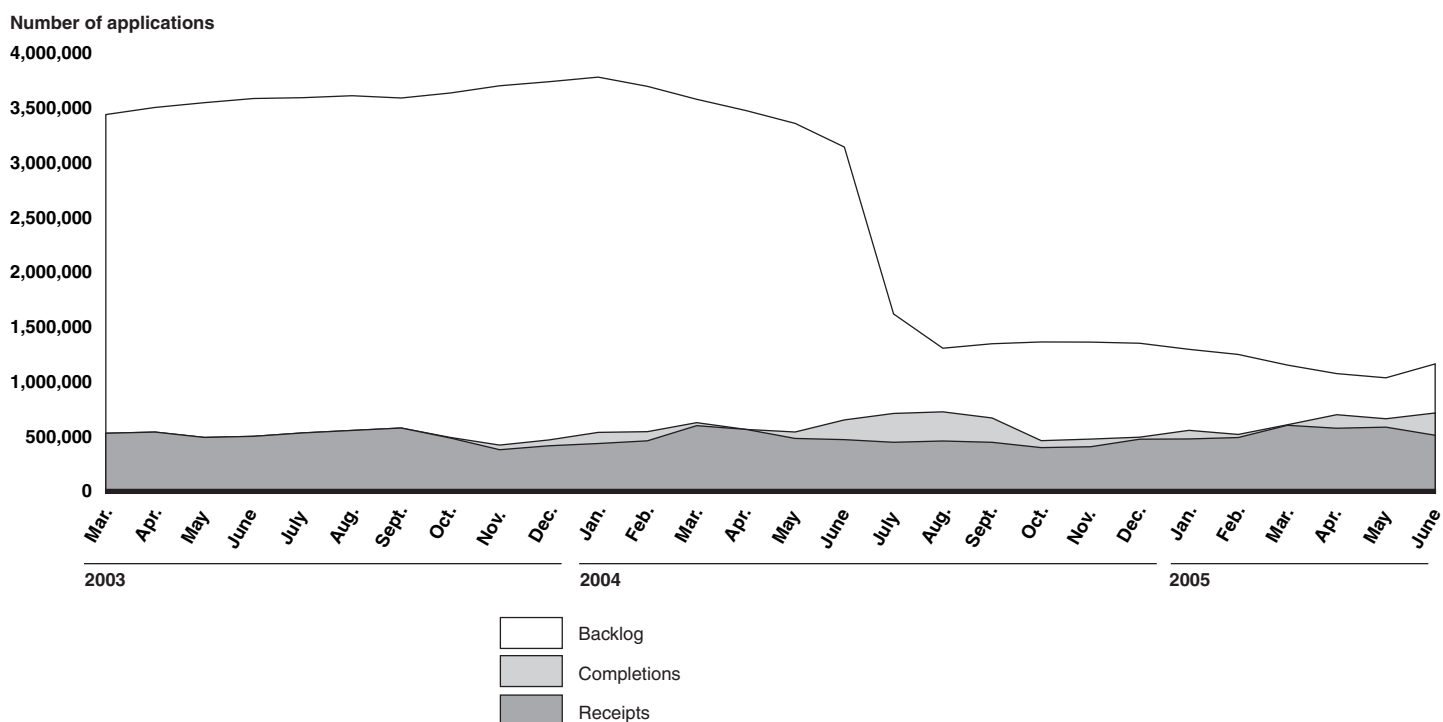
As of June 2005, USCIS had met or exceeded its fiscal year 2005 workload processing time targets for 10 of 15 application types (see solid circles in table 4). In fact, for 8 of these application types, USCIS met or exceeded its fiscal year 2006 targets (see solid circles in table 4). In addition, as figure 5 shows, USCIS has made progress in reducing its backlog—from a peak of about 3.8 million applications in January 2004 down to about 1.2 million in June 2005. Since October 2003, completions have generally outpaced receipts, contributing to backlog reduction.<sup>43</sup> However, the sharp drop in the backlog is due to USCIS's decision in July 2004 to remove from its backlog count those 1.15 million cases for which an immigration visa is not immediately available and a benefit cannot be provided. Nevertheless, August 2004 was USCIS's most productive month, with completions exceeding receipts by 138 percent.

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<sup>43</sup> According to USCIS, the number of receipts peaked in March 2004 in anticipation of the increase in application fees scheduled for April 30, 2004.



**Figure 5: Numbers of Applications Received, Completed, and Backlogged, March 2003 through June 2005**

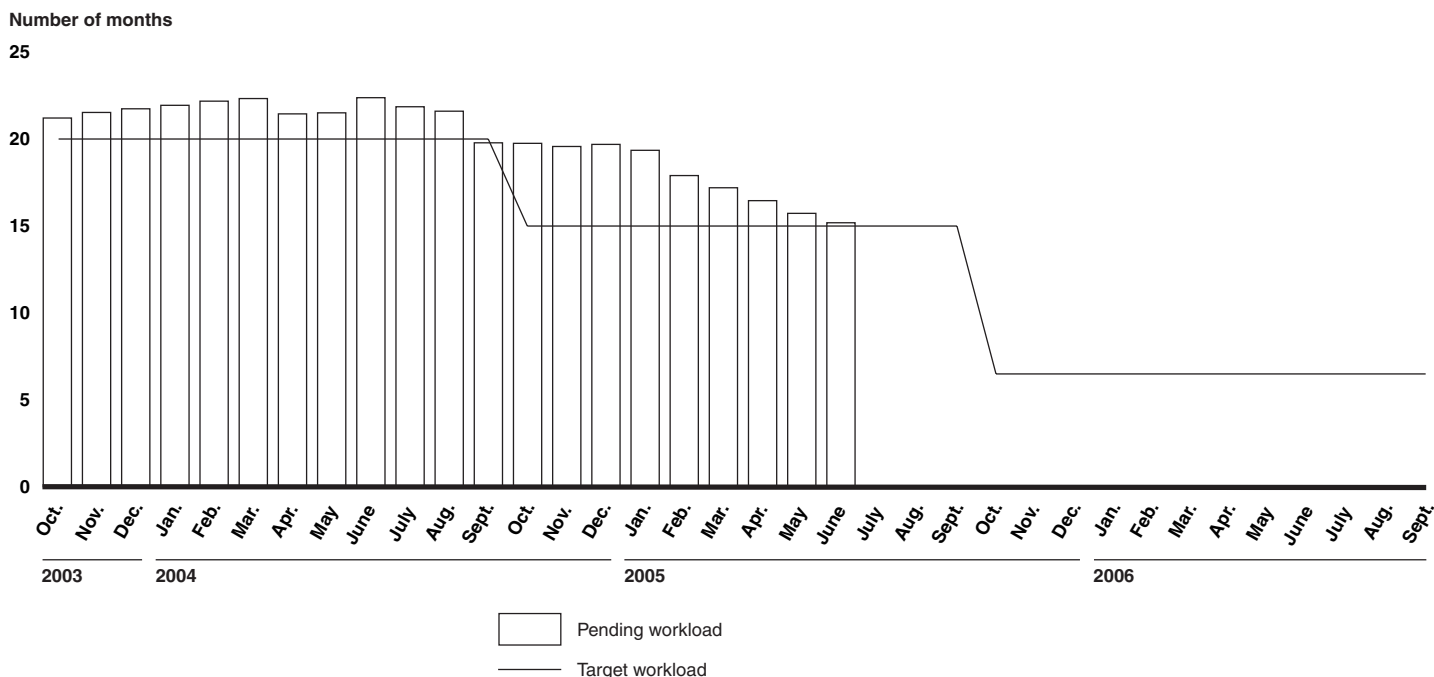


Source: GAO analysis of USCIS's Performance Analysis System data.

USCIS's productivity notwithstanding, workload processing targets for two of the more complex application types appear to be rather ambitious in light of the agency's performance through June 2005. For example, figures 6 and 7 show a substantial drop in targets for reducing pending adjustments of status to lawful permanent resident and reflect the challenge USCIS faces to meet fiscal year 2005 targets for applications for naturalization. According to USCIS, these two application types require the most effort and, as of June 2005, constituted more than three-quarters of the remaining backlog of 1.2 million applications.

As figure 6 shows, USCIS has made progress toward reducing its pending applications to adjust status to lawful permanent resident to 15 months for fiscal year 2005. However, the workload target for fiscal year 2006 drops dramatically to 6 months. Further, USCIS estimates it has a backlog of about 600,000 of this application type as of June 2005, which represents the largest number of applications in the backlog.

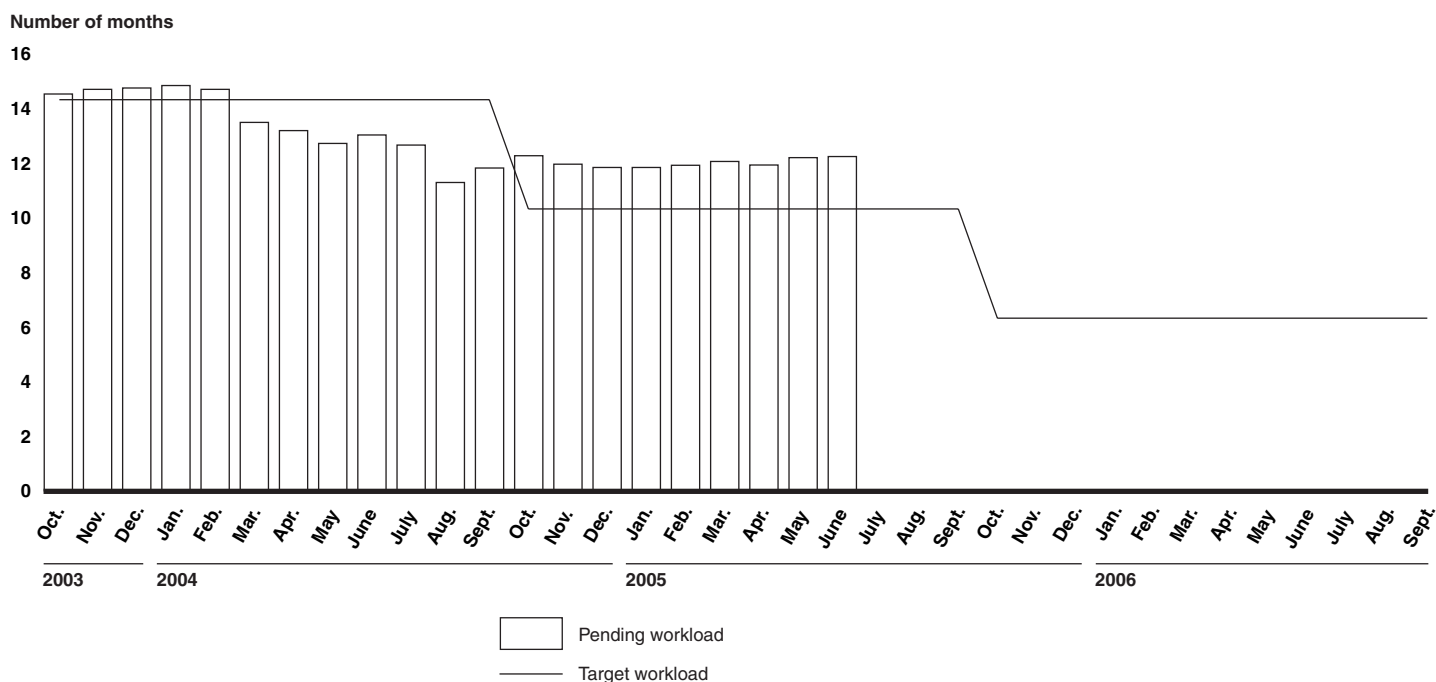
**Figure 6: Pending Workload and Workload Targets for Applications for Completing Adjustment of Status to Lawful Permanent Resident (Form I-485)**



Source: GAO analysis of USCIS's Performance Analysis System data.

As shown in figure 7, although the difference between 2005 and 2006 workload targets for applications for naturalization is not as pronounced, it is still ambitious, particularly since USCIS appears to be struggling to reduce its pending workload to 10 months by the end of fiscal year 2005. Moreover, USCIS estimates it has a backlog of about 290,000 of this application type as of June 2005, which represents the second largest number of applications in the backlog.

**Figure 7: Pending Workload and Workload Targets for Completing Applications for Naturalization (Form N-400)**



Source: GAO analysis of USCIS's Performance Analysis System data.

If meeting its targeted workload is a reliable indicator of USCIS's ability to meet its September 30, 2006, goal, then its progress through June 2005 and the more ambitious targets that must be achieved for these two application types raises doubts about USCIS's ability to meet the ultimate goal of reducing its pending number of these application types to a level that can be adjudicated within 6 months by September 30, 2006.

Further, our analyses indicate that to eliminate the backlog for these two application types, USCIS would need to complete significantly more applications than it has in the past. Specifically, during the most recent 15 months for which data were available (April 1, 2004, to June 30, 2005), USCIS completed about 800,000 applications for adjustment of status. According to USCIS's projections, it must complete another 1.3 million (about 69 percent more) in the 15 months between July 1, 2005, and September 20, 2006, to eliminate the backlog of this application type by the deadline. Similarly, USCIS completed about 800,000 applications for naturalization during the most recent 15 month period and must more than double that level and complete another 1.8 million naturalization

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applications (an increase of about 124 percent) during the following 15 months to eliminate the backlog of this application type.

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### USCIS's Calculation of Backlog Elimination Is Agencywide, but Does Not Address All Application Types in All Locations

USCIS's calculation of its backlog provides an estimate of the number of applications on an agencywide basis that exceed the number of applications received over the last 6 months, rather than in each location. When USCIS's agencywide data reflect that it has eliminated the agencywide backlog for a certain application type, it may not be an indication that this backlog has been eliminated at every location. USCIS officials told us that even if they report that they have eliminated the agencywide backlog by the end of fiscal year 2006, it is possible that backlogs (i.e., pending applications representing more than 6 months' worth of receipts) of certain application types could remain at certain field locations. For example, as of June 2005, USCIS data indicated that, on an agencywide basis, a backlog no longer existed for seven types of benefit applications: applications for (1) renewing or replacing a lawful permanent resident card, (2) travel documents, (3) extending or changing status, (4) employment authorization, (5) temporary protected status, and petitions for (6) nonimmigrant workers and (7) immigrant workers. However, upon closer examination of the data, backlogs remained for five of these application types at specific locations. Specifically, as of June 2005, a backlog of applications to renew a lawful permanent resident card and applications for temporary protected status (about a dozen each) remained at the Vermont and Nebraska service centers, respectively. Moreover, a backlog of nearly 3,000 applications for travel documents remained across a dozen district offices combined and nearly 2,500 remained at the Nebraska service center alone. Similarly, nearly 2,000 applications for employment authorization remained across nine district offices combined and nearly 70,000 remained at the California service center alone. Finally, a backlog of about 3,000 petitions for immigrant workers remained at the California and Nebraska service centers combined.

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### Backlogs Could Remain at Understaffed Offices

According to USCIS, it has the staffing capacity agencywide to address the backlog, but some benefit applications in offices where volume exceeds adjudicator capacity may require more than 6 months to process, causing backlogs to remain beyond September 30, 2006. USCIS estimates that it will have to complete about 10 million benefit applications between July 1,

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2005, and September 30, 2006, to retire the backlog and reduce its pending applications, on average, to a level that can be processed within 6 months or less.<sup>44</sup> According to the Deputy Associate Director for Operations, the agency's staffing level as of June 2005—about 3,100 permanent and temporary adjudicators and information officers—should be adequate to retire the backlog. However, the distribution of adjudicators across field offices does not match the current distribution of the workload across field offices. A reason for this staffing imbalance, according to USCIS officials, is that the agency hired temporary adjudicators for all district offices to concentrate on adjudicating forms in the backlog while permanent adjudicators could focus attention on adjudicating new petitions for alien relatives and prospective spouses and related applications for adjustment of status to lawful permanent resident under the Legal Immigration Family Equity (LIFE) Act.<sup>45</sup> However, USCIS officials said that the anticipated volume of LIFE Act applications and petitions never materialized in district offices in the central and western regions.

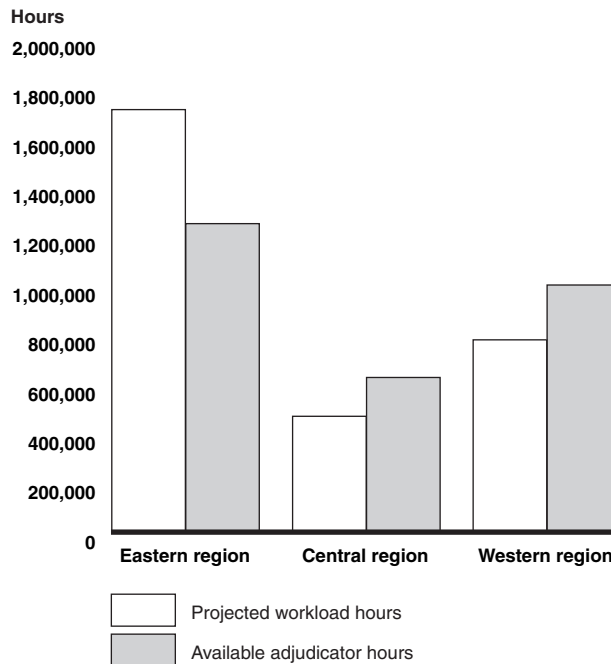
Unless the agency is successful in redistributing its adjudicator staff, it appears that backlogs are likely to remain at understaffed field offices in the eastern region in fiscal year 2007. According to the Deputy Associate Director for Operations, USCIS has too few adjudicators at district offices in the eastern region to address the workload, while district offices in the central and western regions have excess adjudicator staff. Figure 8 shows the distribution of workload to adjudicators across regions.

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<sup>44</sup> This estimate includes the current 1.2 million applications in the backlog plus more than 8.6 million projected future applications, to be filed over the 15-month period between July 1, 2005, and September 30, 2006.

<sup>45</sup> Pub. L. No. 106-553, 114 Stat. 2762A-142 (2000). The former INS published a final rule in the *Federal Register* on June 4, 2002, establishing procedures for certain class action litigants to apply for adjustments of status under legalization provisions of the LIFE Act.

**Figure 8: Projected Workload in Hours, by Region, July 2005 through September 2006 Compared with Distribution of Available Adjudicator Hours as of June 2005**



Source: GAO analysis of USCIS's Performance Analysis System data.

## Other Factors May Hinder USCIS's Ability to Complete Certain Applications within 6 Months

### Background Checks

Factors beyond the agency's control could prevent some applications from being adjudicated within 6 months. For example, some applications may require longer to adjudicate because of factors such as (1) the need for more extensive background checks for certain applicants, (2) annual limitations on certain visas, and (3) legislative changes.

USCIS performs a background check on all benefit applicants via its Interagency Border Inspection System (IBIS). Adjudicators said they can normally perform these checks on their desktop computers in a matter of minutes, a process we observed at the Houston district office. For selected immigration benefit applications, USCIS requires additional background information from fingerprint checks and name checks performed by the FBI. Officials from the FBI said they can normally check fingerprint records in about 24 hours or less and return the results to USCIS in batch format about two times a week. The FBI results either indicate no record of a criminal history or provide the applicant's criminal history record.

However, FBI name checks can be far more involved and take more than 6 months to complete. For example, when an applicant's name matches the name or alias of someone with a criminal history, the FBI is to perform a secondary check of multiple databases, which can take up to a month to complete. A small percentage of cases have to be subjected to a more intensive file review, which can take more than 6 months. For example, USCIS found an example where it took the FBI nearly 2 years to complete a name check for a naturalization applicant. Table 5 summarizes the types of background checks required for those forms included in USCIS's backlog elimination plan.

**Table 5: Summary of Background Checks Required for Selected Benefit Applications**

Form	Application type/purpose(s)	IBIS check	FBI fingerprint check	FBI name check
I-485	Adjustment of status	✓	✓	✓
I-129	Nonimmigrant worker	✓		
I-539	Extend/change nonimmigrant status	✓		
I-90	Replacement green card	✓	✓	
I-130	Petition for alien relative	✓		
I-131	Advance parole	✓		
	Reentry permit	✓		
I-140	Immigrant worker	✓		
I-751	Removal of conditional status	✓		
I-765	Employment authorization document	✓		
I-821	Temporary protected status	✓	✓	
N-400	Naturalization	✓	✓	✓
N-600/N-643	Certificate of citizenship	✓		
I-589	Asylum	✓	✓	✓
I-881	NACARA 203	✓	✓	✓
I-867	Credible fear referral	✓		

Source: Compiled from USCIS information.

According to our analysis of about 670,000 naturalization applications filed between February 2004 and February 2005, the FBI returned about 59 percent of the names within 10 days, and 72 percent were returned within 30 days. About 11 percent of the applications (more than 74,000) took more than 90 days to complete. Further, about 7 percent of these naturalization applicants (more than 44,000) had not received a final response as of February 28, 2005. Until these name checks are completed, applications cannot be finally adjudicated. In addition, USCIS officials said that it often takes a long time (as much as 4 to 6 months) to clear the

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names of immigrant workers with high-tech backgrounds who are applying to change their status to lawful permanent resident, because, since September 11, the FBI has become especially interested in carefully vetting aliens with such backgrounds.

#### Visa Limitations for Immigrants

The availability of visas issued by the Department of State will not affect the backlog as defined by USCIS because USCIS excludes from its count of backlog those cases for which a visa is not available. However, it may result in some applicants having to wait much longer than 6 months before their benefit is adjudicated. In order to initiate a visa request to have an alien relative or prospective employee immigrate to the United States, a qualifying relative or employer must file a petition with USCIS on behalf of the immigrant. Section 201 of the Immigration and Nationality Act sets effective annual limits of 226,000 visas for family-sponsored immigrants and approximately 148,000 visas for employment-based immigrants.<sup>46</sup> In addition, the act sets preference levels for both family-based and employment-based immigrants, which further determine which applicants receive priority for a visa.<sup>47</sup> Further, section 203(e) of the act states that family-sponsored and employment-based preference visas should be issued to eligible immigrants in the order in which a petition on behalf of each was filed with USCIS.<sup>48</sup> There are also annual numerical limitations on the number of visas that can be allocated per country under each of the preference categories.<sup>49</sup> Thus, even if the annual limit for a preference category has not been exceeded, visas may not be available to immigrants from countries with high rates of immigration to the United States, such as China and India, because of the per country limits. Table 6 lists the types and allocation limits of visas for family- and employer-sponsored immigrants.

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<sup>46</sup> 8 U.S.C. § 1151(a)(1), (a)(2), (c), (d).

<sup>47</sup> 8 U.S.C. § 1153(a), (b).

<sup>48</sup> 8 U.S.C. § 1153(e).

<sup>49</sup> 8 U.S.C. § 1152.



**Table 6: General Preferences for Immigration Visas and Allocation Limits for Fiscal Year 2005**

Preferences	Family-sponsored immigrants	Limits (percent)	Employment-based immigrants	Limits (percent)
First	Unmarried sons and daughters of citizens <sup>a</sup>	23,400 (10.4)	Priority workers	42,456 (28.6)
Second	Spouses and children, and unmarried sons and daughters of permanent residents	114,200 (50.5)	Members of the professions holding advanced degrees or persons of exceptional ability	42,456 (28.6)
Third	Married sons and daughters of citizens	23,400 (10.4)	Skilled workers, professionals, and other workers	42,456 (28.6)
Fourth	Brothers and sisters of adult citizens	65,000 (28.7)	Certain special immigrants	10,540 (7.1)
Fifth	Not applicable		Employment creation	10,540 (7.1)
<b>Total</b>		<b>226,000 (100)</b>		<b>148,449 (100)</b>

Source: Department of State, Visa Bulletin for September 2005, No. 85, Volume VIII.

Note: Totals may not add because of rounding.

<sup>a</sup>Spouses and prospective spouses of U.S. citizens are not subject to these visa limits.

Until an alien obtains an immigrant visa and enters the United States, or an alien already in the United States is able to adjust his or her status, the immigrant will not be able to become a lawful permanent resident. The actual petitions for alien relatives (I-131) or immigrant workers (I-140) can be filed with and adjudicated by USCIS at any time, regardless of the availability of visa numbers. However, USCIS may not adjudicate any pending applications for adjustment of status to lawful permanent resident (I-485) when visa numbers have been exhausted for the particular preference category or country. Since visas must be issued on a first-come, first-served basis within each priority category, applicants may be inclined to file an application to adjust status knowing they may remain ineligible for a benefit for many years. For example, in September 2005, the Department of State was issuing, under the general family-based preference limits, visas for unmarried sons and daughters of citizens whose petitions were filed with USCIS on or before April 15, 2001, and for brothers and sisters of adult citizens whose petitions were filed with

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USCIS on or before December 15, 1993.<sup>50</sup> In these situations, USCIS may not adjudicate any pending adjustment applications until visa numbers become available for those applicants and may have to hold such applications for several years.

These kinds of delays in adjudication of pending adjustment of status applications for family-sponsored immigrants may continue to grow because of a demand that may continue to exceed the number of available visas each year. In fiscal year 2004, USCIS received nearly 700,000 petitions for alien relatives—more than three times the amount of available annual visas. Additionally, as of June 2005, USCIS had received another 484,000 petitions for alien relatives that add to the 152,000 pending petitions. According to USCIS officials, 2005 is the first year in which the agency has adjudicated a number of employment-based petitions and ensuing applications for adjustment of status up to the annual visa cap. As a result, USCIS will start the next fiscal year with a queue of pending petitions that has the potential of resulting in an adjudications backlog of employment-based immigration adjustment of status applications.

## Legislative Changes

USCIS officials noted that its current backlog elimination plan is based on the assumption that the agency will continue to operate under current laws. These officials noted, however, that if any new legislation is enacted between now and the end of fiscal year 2006 without provisions for resources to carry out new responsibilities, the agency's ability to eliminate the backlog could be compromised. For example, USCIS officials told us that the REAL ID Act of 2005<sup>51</sup> has recently added to USCIS's workload by, among other things, increasing the number of persons eligible to apply for and receive nonimmigrant worker status for temporary nonagricultural workers and foreign investors, as well as adding an expanded and more complex ground of inadmissibility relating to terrorism that must be addressed as part of the adjudication of many

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<sup>50</sup> Similarly, as an example of country-based limits, the Department of State was issuing visas to unmarried sons and daughters of U.S. citizens whose applications were filed on or before January 1, 1983, if they come from Mexico, and March 22, 1991, if they come from the Philippines.

<sup>51</sup> Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Pub. L. No. 109-13, div. B, 119 Stat. 231, 302-23.

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immigration benefit applications.<sup>52</sup> In addition, the act does not provide additional resources to carry out these activities.

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## USCIS Lacks a Comprehensive Approach to Postadjudication Quality Assurance

USCIS operates two distinct postadjudication quality assurance programs, but neither provides a comprehensive review of the agency's efforts to ensure that immigration benefits are granted only to persons eligible to receive them.<sup>53</sup> Both of USCIS's major quality assurance programs are limited to a small number of application types they review and, taken together, the programs do not review all 15 of the major application types included in the backlog elimination plan. One program measures quality by assessing adjudicator compliance with standard operating procedures used in adjudicating two application types, but it does not determine the reasonableness of the final adjudicative decision. The other program measures both compliance with standard operating procedures and the reasonableness of adjudicator decisions for selected application types. Although supervisory reviews of cases are conducted at the local office level, the reviews lack a standardized approach across all offices. USCIS is currently reviewing its quality assurance procedures and plans to improve the metrics used to measure quality agencywide.

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## USCIS's Agencywide Quality Assurance Program Tracks Process Compliance for Two Application Types

USCIS's Performance Management Division administers an agencywide quality assurance program, which reviews adjudicator compliance with selected processes for adjudicating 2 of the 15 major application types: applications for naturalization and for adjustment of status to lawful permanent resident. The review is restricted to compliance with standard operating procedures and does not evaluate the reasonableness of the final adjudicative decisions. The program began in 1997 in response to media criticism about the integrity of its naturalization application processing and was developed to improve the quality and consistency of naturalization application processing by ensuring that immigration laws,

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<sup>52</sup> The REAL ID Act also removed the limit on the number of applications for adjustment of status for persons requesting asylum the agency can process each year (i.e., 10,000 applications per year). According to a USCIS official, this resulted in nearly 180,000 applications for adjustment of status for asylees being added to USCIS's backlog count in June 2005. Although this increase in the asylum division's workload could challenge the division's backlog elimination efforts, it is not expected to prevent the division's ability to eliminate the backlog of asylum cases by September 30, 2006.

<sup>53</sup> Our assessment of USCIS's efforts to ensure the quality of adjudicator decisions did not include predecision quality assurance efforts such as adjudicator training.

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regulations, policies, and operating guidance are adhered to during the adjudication process. In February 2005, USCIS expanded its quality assurance review to include adjustments of status.

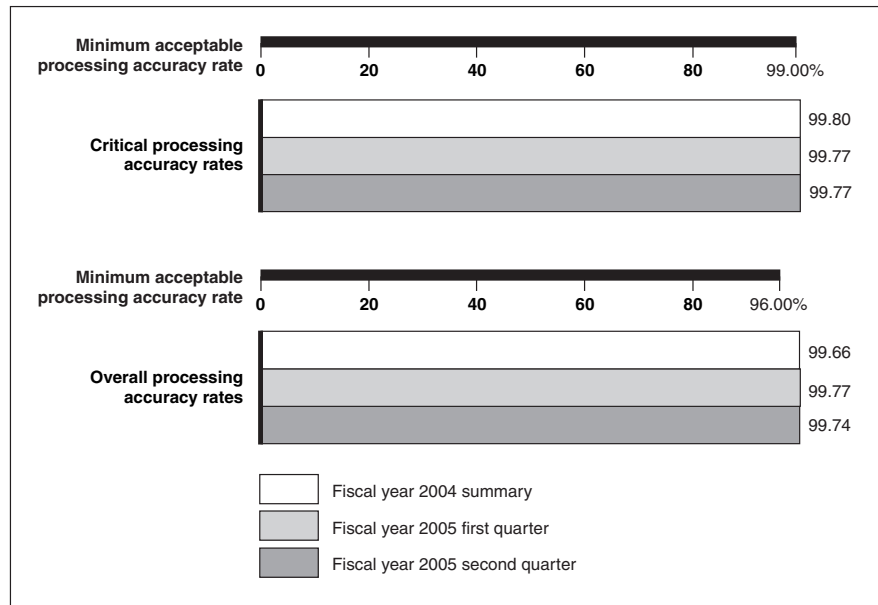
To conduct its reviews, the performance management staff selects a sample of applications completed during a given month and available at the selected district office or service center. (Completed applications are not stored in district offices and service centers.) In general the number of cases sampled depends upon the number of applications processed in a given month, and a sample of cases is chosen from the applications that are available.<sup>54</sup> USCIS's Performance Management Division staff uses a standardized series of questions to determine the extent to which adjudicators have followed the required processes.<sup>55</sup> The staff records the results and sends them to the adjudicative staff for correction. The quality assurance review of naturalization applications covers critical processes and non-critical processes. Critical processes are generally those that relate to security procedures, for example documenting fingerprints, IBIS checks, and name checks. Non-security-related processes such as marking approved applications with an approval stamp are generally considered noncritical processes. Figure 9 shows that for the sample of naturalization applications that were reviewed during fiscal year 2004 and the first and second quarters of fiscal year 2005, USCIS exceeded the critical and noncritical processing accuracy goals of 99 percent and 96 percent respectively.

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<sup>54</sup> Because the review is based on a sample drawn from completed cases that are available for review (those files that have not already been transferred) rather than from all applications, it is unclear to what extent the results are representative of all closed cases.

<sup>55</sup> See appendix IV for samples of the checklist used for Applications for Naturalization and appendix V for the checklist used for adjustments of status.

**Figure 9: Processing Accuracy Rates for the Naturalization Quality Procedures for Cases Reviewed in Selected Offices and Centers, Fiscal Years 2004 and 2005, First and Second Quarters**



Source: USCIS quality assurance review results.

The review of adjustment of status applications, like the review of naturalization applications, includes security system checks and checks on adjudication processes, but only reports an overall processing accuracy rate, not the processing accuracy rates for critical processes. USCIS's quality assurance reviews reported an overall agencywide processing accuracy rate of 98.5 percent for the sample of cases examined for the period January 2005 through March 2005.<sup>56</sup> A study conducted by an independent management consultant, using sampling methods similar to those USCIS uses to assess adjudicator compliance with standard processes, produced similar results as USCIS for naturalization and lower results for adjustment of status applications.<sup>57</sup> For example, the consultant found that the overall processing accuracy rate for naturalization

<sup>56</sup> USCIS has not yet established the acceptable level of quality for adjustment of status applications. According to USCIS officials, they will establish this target using the initial 4 months of data.

<sup>57</sup> Booz Allen Hamilton, *Quality Assurance Compliance Assessment and Review Findings*, a special report prepared at the request of the United States Citizenship and Immigration Services (Washington, D.C.: February 2005).

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applications was over 98 percent for the cases reviewed at selected district offices.

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**USCIS's Service Center  
Quality Assurance  
Program Tracks Process  
Compliance and Evaluates  
Reasonableness of  
Adjudication Decisions**

Since April 2002, USCIS's Service Center Operations Division has performed quality assurance reviews designed to evaluate the quality and correctness of adjudicative decisions for selected benefit applications filed exclusively at service centers. This quality assurance review uses the same guidance as the agencywide program to select cases to review. In general the number of cases sampled depends upon the number of applications processed in a given month, and a sample of cases is chosen from the applications that are available. Two application types were selected for the initial review—first, applications for adjustment of status and, 6 months later, applications to extend or change nonimmigrant status. Subsequently, the service center added other application types to its review including petitions for alien relatives and petitions for nonimmigrant workers.

For this review, a sample of case files is selected and independently reviewed by the quality assurance unit. The review selects cases based on three types of adjudicative decisions: (1) approvals, (2) denials, and (3) requests for evidence. Each case file is evaluated for compliance with processes and procedures and completeness of the administrative actions. In addition, the reviewer evaluates the reasonableness of the decision outcome—that is, whether he or she would have made the same decision given the evidence provided. The Service Center Operations Division has developed a series of standardized checklists that is used for reporting purposes.<sup>58</sup> When errors are detected in the review, such as when an IBIS check is marked as valid on the checklist when in fact the IBIS check had expired, service center guidance indicates that corrective actions should be taken. For example, if an erroneous decision was identified during the review of an approved case, the corrective action could result in the cases being reopened and the benefit being rescinded. The guidance further indicates that after the initial quality assurance reviews, a small sample of previously reviewed cases should be checked a second time by a separate reviewer to validate the initial results.

The Service Center Operations Division develops a quality level indicator by calculating the number of correct decisions identified among the total number of cases reviewed. According to USCIS, the emphasis of the

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<sup>58</sup> See appendix VI for examples of service center checklists.

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program is on using trend analyses to identify and address weaknesses in administrative decision making rather than meeting a specific performance target. In fiscal year 2004, the Service Center Operations Division reviewed three forms—employment-based applications for adjustment of status, applications to extend or change nonimmigrant status, and petitions for alien relatives. The rates of correct decisions for the forms reviewed were 94.3 percent, 95.7 percent, and 93.5 percent respectively. In the first two quarters of the fiscal year 2005, in addition to continuing the reviews of adjustments of status and petitions for alien relatives, USCIS added petitions for nonimmigrant workers. The rate of correct decisions for reviewed applications of this type was 98 percent for the period January 2005 through April 2005.

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#### USCIS Supervisors Review Quality of Staff Adjudications

Aside from these two quality assurance programs, USCIS also checks quality through supervisory reviews of case files at the local office level. However, these reviews are not consistently performed across all local offices. For example, some local offices, such as the San Antonio district office, perform supervisory reviews of all cases awaiting adjudication, as well as a group of adjudicated cases, while others, such as the Texas service center, may perform supervisory reviews of all cases adjudicated by new staff.

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#### USCIS Is Reviewing Its Quality Assurance Programs

The independent review of USCIS's quality assurance program, discussed previously, made a number of recommendations to improve the agency's programs; among them, that the Performance Management Division's quality assurance program include application types not currently part of the program to determine their level of compliance with adjudicative procedures. In addition it recommended that that USCIS focus fewer resources on naturalization applications in offices that consistently meet the quality goal and spend resources on the new adjustment of status application review because the review shows compliance was lower for this application. According to USCIS guidance, the agency planned to progressively include other application types and operations in its quality assurance approach, but the agency has not established specific strategies and timelines for doing so. According to agency officials, USCIS is in the process of collecting and validating data on the current inventory of quality assurance measurements in use throughout USCIS. After the validation process, they plan to analyze this information to identify gaps and areas of improvement. USCIS plans to design, develop, and test a draft set of proposed quality metrics. USCIS plans to have a final set of quality metrics available by December 2005, which the agency says will reflect

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several dimensions of quality including accuracy, consistency, timelines, efficiency, customer service and production.

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## Conclusions

USCIS intends to address deficiencies in its current information technology systems through technology transformation, including the development of a new, integrated case management system capable of providing managers reports on the actual age of pending immigration benefit applications. Under USCIS's current method for calculating backlog, it is possible for individual applicants to wait longer than 6 months for a benefit decision, even if the backlog for that benefit type has technically been eliminated. USCIS's proposed technology transformation should have the capability to provide information about the actual number of applications that have been pending for more than 6 months so that the agency is able to define its backlog consistently with the statutory definition of any application pending adjudication for more than 180 days.

USCIS has made substantial progress toward its goal of reducing its backlog of benefit applications and may eliminate much of the backlog by September 30, 2006. In addition to efforts to eliminate the current backlog, it is important for the agency to take steps to prevent future backlogs. The agency's ambitious technology transformation plan promises to meet this need by moving the agency from a manual, paper-driven process to an automated, paperless adjudication environment. As USCIS strives to become a high-performing, client-focused organization, it must take into account relationships among people, processes, and technology. For example, one of the assumptions underlying technology transformation is that it will facilitate more efficient, streamlined processes, which in turn could yield productivity gains, thus allowing more work to be accomplished without added staff resources. The agency has not identified these potential effects in its staffing and technology plans. Considering these relationships and including them in operational and strategic plans would give USCIS a sound basis for making strategic decisions regarding resource allocation. Without such information, Congress cannot be assured that the agency's investments in information technology will contribute to maximizing productivity and preventing future backlogs.

At present, USCIS's quality assurance efforts do not comprehensively assess the adjudicative process and its outcomes, nor do they address all benefit application types. While USCIS has taken steps and has other steps planned to identify and address shortcomings in its quality assurance program, it has not yet developed the specific performance measures and goals needed to ensure consistent quality of adjudication across all



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components of the adjudication process. As a result, the agency cannot be assured that all benefit applications are adjudicated in compliance with agency guidance and that reasonable decisions are rendered on a consistent basis.

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## Recommendations for Executive Action

To help determine the size of its backlog in a manner consistent with the definition in the Immigration Services and Infrastructure Improvements Act of 2000, we recommend that the Secretary of Homeland Security direct the Director of USCIS to develop and implement the capability to produce management reports on the actual age of individual benefit applications as soon as practicable in its long-term technology transformation process.

To help ensure that USCIS has the information necessary to make sound strategic decisions regarding resource allocation—including staffing allocation and investment in technology transformation—and to inform Congress about expected gains from investments in technology, we recommend that the Secretary of Homeland Security direct the Director of USCIS to take the following two actions:

- identify potential productivity gains and their effects on preventing future backlogs and
- identify the potential effects of technology improvements on its staffing allocation plans.

To improve its quality assurance efforts and to help ensure that benefits are provided only to eligible individuals, we recommend that the Secretary of Homeland Security direct the Director of USCIS to modify its quality assurance programs to address both adjudication process compliance and reasonableness of adjudicator decisions and expand coverage to all types of benefit applications.

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## Agency Comments and Our Evaluation

We provided a draft of this report to the Department of Homeland Security for review. On November 8, 2005, we received written comments on the draft report, which are reproduced in full in appendix VII. The department concurred with the findings and recommendations in the report, and agreed that efforts to implement our recommendations are useful for ensuring that USCIS provides decision makers with full and adequate information. Specifically, the department said that USCIS's proposed case management system will provide the capability to produce management reports on the actual age of individual benefit applications. In addition, the department said USCIS is currently piloting several initiatives to increase

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productivity and efficiency and will continue to seek opportunities and methods to streamline processes and increase productivity while maintaining integrity and security of the adjudicative process. The department also said that USCIS is committed to analyzing staffing allocation levels twice yearly to ensure that resources are properly aligned with its workload. Moreover, as process and technology improvements are realized, resource allocations will be changed to fit the conditions. Finally, the department said that USCIS has begun to develop a comprehensive quality management program intended to develop a set of quality performance measures to assess servicewide performance for all benefit application types. These measures will address both process compliance and the quality of adjudicators' decisions. The department also provided technical comments on our draft report, which we incorporated where appropriate.

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As agreed with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of this report. At that time, we will send copies of this report to the Secretary of the Department of Homeland Security and the Director of United States Citizenship and Immigration Services. In addition, the report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you or your staff have any questions about this report or wish to discuss it further, please contact me at (202) 512-8777 or at [JonesPL@gao.gov](mailto:JonesPL@gao.gov). Key contributors to this report are listed in appendix VII.

  
Paul L. Jones  
Director, Homeland Security  
and Justice Issues

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# Appendix I: Scope and Methodology

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During our review, we interviewed United States Citizenship and Immigration Services (USCIS) officials in headquarters from a number of divisions, including the offices of Budget, Field Operations, Service Center Operations, Records Services, Modernization Services, Asylum Division, Performance Management, and Administrative Appeals. We also spoke with the USCIS Chief Information Officer and officials in the Office of the Citizenship and Immigration Services Ombudsman. In addition, we spoke with officials from Immigration and Customs Enforcement, as well as a stakeholder group that frequently interacts with USCIS, the American Immigration Lawyers Association. We visited and interviewed officials in 10 USCIS field offices—the California service center, in Laguna Niguel; the Texas service center, in Dallas; the National Benefits Center, near Kansas City; district offices in Dallas, Houston, Los Angeles, San Antonio, San Diego, and Washington, D.C.; and the Los Angeles asylum office. We selected these offices because they constituted a cross section of field offices that (1) were handling large, medium, and small volumes of applications and petitions; (2) were overstaffed and understaffed; (3) had backlogs of applications or petitions or no backlogs; and (4) had conducted or were conducting some of the pilot projects. Because we selected a nonprobability sample of field offices to visit, the results from our interviews with USCIS officials in these offices cannot be generalized to USCIS offices nationwide.<sup>1</sup>

To determine the status of USCIS's backlog of pending benefit applications, we interviewed agency officials and reviewed USCIS's backlog elimination plans and updates along with the agency's supporting analyses and compared them with the statutory definition of backlog in the Immigration Services and Infrastructure Improvements Act of 2000.

To determine the actions USCIS has taken to eliminate the backlog of applications and prevent future backlogs, we reviewed USCIS's planning documents on the agency's staffing, budget, and information technology modernization. We also reviewed evaluation reports on process streamlining initiatives and pilot projects, as well as interviewing appropriate USCIS officials. Where possible, we corroborated their

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<sup>1</sup> Nonprobability sampling is a method of sampling where observations are selected in a manner that is not completely random, usually using specific characteristics of the population as criteria. Because each unit in a population does not have an equal chance to be selected, it is possible for a nonprobability sample to contain a systematic bias that limits its ability to describe the entire population.

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responses with agency data that we assessed for reliability and determined were sufficiently reliable for our purposes.

To estimate the likelihood that USCIS would eliminate the backlog by September 30, 2006, we tracked and compared the agency's progress in reducing its workload with the targets USCIS established. We also analyzed workload and staffing data from the agency's Performance Analysis System, the official system of record used to manage the agency's backlog elimination efforts. We reviewed existing information about the data and the system that produced them, including procedures for ensuring accuracy. We also interviewed USCIS staff in the Performance Management Division regarding the collection and analysis of the workload data and determined that the data were sufficiently reliable for the purposes of this report. In addition, we reviewed USCIS's backlog elimination progress reports and staffing analysis model that were derived from the Performance Analysis System. We also collected and analyzed information on factors that could affect USCIS's ability to eliminate the backlog, including the duration of Federal Bureau of Investigation (FBI) name checks for naturalization applications, visa allocation limits, and new legislation. We analyzed data on FBI name checks obtained from USCIS's Computer Linked Application Information Management System (CLAIMS 4). We assessed the reliability of CLAIMS 4 data by (1) performing electronic testing of the required data elements for obvious errors in accuracy and completeness, (2) reviewing related documentation, and (3) interviewing USCIS staff knowledgeable about the CLAIMS 4 system and obtaining answers to written questions about the system, and we determined that these data were sufficiently reliable for our purposes. We also reviewed information on visa allocation limits from the Department of State and spoke with USCIS officials in the Office of Operations and the Office of Fraud Detection and National Security. Finally, we discussed with USCIS officials the effects the REAL ID Act of 2005 had on the adjudications workload as an example of how new legislation without the provision of additional resources could take adjudicator staff resources away from backlog elimination efforts.<sup>2</sup>

To determine how USCIS ensures the quality and consistency of adjudicator decisions, we interviewed USCIS officials in the Performance Management Division. We reviewed USCIS reports and data on accuracy

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<sup>2</sup> Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Pub. L. No. 109-13, div. B, 119 Stat. 231, 302-23.

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rates related to its two quality assurance programs. We also reviewed the findings and recommendations of an independent study on USCIS's quality assurance programs. Finally, we discussed supervisory review practices with senior managers at the field offices we visited. However, we did not independently verify the extent and quality of supervisory review.

We conducted our work from September 2004 through October 2005 in accordance with generally accepted government auditing standards.

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# Appendix II: USCIS Organizational Structure

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USCIS carries out its service function through a network of field offices consisting of a National Benefits Center, 4 service centers, 78 district and local offices, 31 international offices, 8 asylum offices, and 129 application support centers.

- USCIS's National Benefits Center,<sup>1</sup> located in Missouri, was created in April 2003 to serve as a central processing hub for benefit applications generally requiring an interview, such as petitions for admission of spouses and other family members. These “preprocessing” activities include conducting background security checks, performing initial evidence reviews, adjudicating any associated employment authorization and travel applications, denying adjustment of status cases for applicants who are statutorily ineligible, and forwarding scheduled cases to the cognizant district so that the applicant can be interviewed and the case decided. Eventually, the National Benefits Center will also preprocess all applications for naturalization.
- USCIS's 4 service centers are located in California, Nebraska, Texas, and Vermont. They were created in 1990 to help reduce application backlogs in the district offices. Service centers process 35 types of applications, including petitions for permanent and temporary workers and applications for employment-based adjustment of status to permanent resident. Since February 1996, the service centers have shared responsibility with the districts for processing naturalization applications. Naturalization applications are received by the service centers and processed up to the point of interview, at which time responsibility for processing the case is shifted to the appropriate district so that the applicant can be interviewed and the case decided.
- USCIS's 78 district and local offices and 31 international offices are located throughout the nation and around the world. These offices generally process applications that require interviews with the applicant or verification of an applicant's identity. In addition to processing naturalization applications, districts process petitions for alien relatives and family-based adjustment of status applications, among others.
- USCIS's 8 asylum offices are located in Newark, New Jersey; New York, New York; Arlington, Virginia; Miami, Florida; Chicago, Illinois;

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<sup>1</sup> The National Benefits Center was initially called the Missouri Service Center when it opened in March/April 2001.

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Houston, Texas; Los Angeles, California; and San Francisco, California. Asylum offices adjudicate asylum applications and applications for suspension of deportation and special rule cancellation of removal under Section 203 of the Nicaraguan and Central American Relief Act (NACARA 203); conduct “credible fear” and “reasonable fear” screening interviews of certain removable persons who have expressed a fear of return to the country of removal to determine if they qualify for an opportunity to seek relief from removal before an Immigration Judge, and provide staffing support to the Refugee Branch to assist in USCIS’s overseas refugee processing efforts.

- USCIS’s 129 application support centers are under the jurisdiction of districts and are located throughout the nation. They were established in fiscal year 1998 to serve as INS’s designated fingerprint locations. In June 2000, INS shifted responsibility for processing applications for renewal of permanent resident cards (i.e., green cards) from the districts to the support centers.

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# Appendix III: Information Technology Systems

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Several information technology systems critical to USCIS's information technology transformation plan are in development. One objective of this plan is to develop a new integrated customer-focused case-processing system that will deliver comprehensive information from immigration applications. Other systems under development are USCIS's Background Check Service system, which is designed to manage security check information and the Biometric Storage System, which will store biometric data.

## Integrated Case Management System

The integrated case management system is a tool that will be used by USCIS staff in processing benefits and adjudicating cases. USCIS's information technology transformation mission needs statement estimates that the case management system development will begin in fiscal year 2006. USCIS is currently assembling the system requirements and conducting surveys of industry best practices. In addition, USCIS is reviewing a cost-benefit analysis to evaluate alternative implementation strategies for the new integrated case management system. USCIS anticipates that its current case management systems will be decommissioned by fiscal year 2011.

## Background Check Service

The Background Check Service system automates and manages the submission of all security checks including name and fingerprints from the FBI and Interagency Border Inspection System. The Background Check Service system will track and store security check responses in a centralized system. USCIS is preparing to initiate the testing and implementation phase, but USCIS must first select a hosting and production facility for the system. As of August 2005, USCIS estimates the deployment of the Background Check Service system to be December 2005.

## The Biometric Storage System

The Biometric Storage System allows USCIS to store biometrics information for verification of identity and for future form submissions. Biometric storage capacity will be expanded to allow storage of biometric information for all USCIS customers, allowing information to be resubmitted for subsequent security checks. The system will capture 10-prints for FBI fingerprint checks and image sets (photograph, press-prints, and signatures). According to USCIS, the Biometric Storage System repository will be located with the United States Visitor and Immigrant Status Indicator Technology and Automated Biometric Identification System Programs to enable data sharing and more detailed background



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check and authentication processes.<sup>1</sup> As of August 2005, USCIS estimated that the Biometric Storage System will become operational in August 2006.

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<sup>1</sup> United States Visitor and Immigrant Status Indicator Technology interfaces with other Department of Homeland Security systems for relevant purposes, including status updates and benefit adjudication. In particular, it exchanges biographic information with the Student and Exchange Visitor Information System and the Computer Linked Application Information Management System.

# Appendix IV: District Office Application for Naturalization (N-400) Processing Quality Checklist

U.S. Department of Homeland Security  
Citizenship and Immigration Services

## District/Sub-Office N-400 Processing Quality Checklist

<b>Date Filed:</b>		<b>A#:</b>	
<b>Date of Initial Interview:</b>		<b>3-Digit Office Code:</b>	
<b>Date Granted:</b>		<b>Date of Oath Ceremony:</b>	

Security Systems Checks		Yes	No	NA	Comments
1.	Was IBIS check valid at time of decision? (90 day expiration) <b>CRITICAL</b>				
2.	If IBIS hit, was the hit resolved? <b>CRITICAL</b>				
3.	Was IBIS check valid at time of oath? <b>CRITICAL</b>				
4.	Is there evidence of a definitive response to the FBI Name Check on the PWS, in the file, or in an electronic system? (If Positive Response "PR" evidence of resolution must be present) <b>CRITICAL</b>				
5.	Has the appropriate entry been made to the FD-258 Control Number line on the PWS or is there evidence of an FD-258 Control Number in the file or in an electronic system that was valid on the date of the decision/oath? (One set of rejected fingerprints must be valid, i.e., within 15 months.) <b>CRITICAL</b>				
6.	If the FD-258 Control Number is an IDENT, has/have the FBI rap sheet(s) been placed in the file? ( <b>CRITICAL</b> )				
Adjudication Process		Yes	No	NA	Comments
7.	If the A-File is present, does the PWS indicate that the A-File relates to the applicant or is there sufficient information to confirm that the A-file relates to the applicant?				
8.	If adjudicated on a T-file:				
	(a) Was the PWS properly annotated to indicate that the requisite numbers of FTRs were made?				
	(b) Were required CIS checks made and documented by 9504 (by the adjudicating office) and 9101 screen prints placed in the T-file?				
	(c) Was there supervisory concurrence (If background check is positive must be ADDA or higher)? ( <b>CRITICAL</b> )				
	(d) If the requisite requests were not annotated on the PWS, is there evidence in the T-file or CIS that the requests were made? ( <b>CRITICAL</b> )				
9.	Are all required signatures present on the N-400, Certificate Preparation Sheet/Oath Declaration, and all sworn statements?				
10.	Were the N-400 questions that were asked by the DAO and answered during the interview checked off or circled on the N-400 in red ink?				
11.	Is the attestation completed in red ink?				

Form N-651B (Rev. 9/30/03)

**Appendix IV: District Office Application for  
Naturalization (N-400) Processing Quality  
Checklist**

U.S. Department of Homeland Security  
Citizenship and Immigration Services

**District/Sub-Office N-400 Processing Quality Checklist**

Adjudication Process (Continued)		Yes	No	NA	Comments
12.	If the case concerned potentially disqualifying criminal history				
	(a) Are all arrest dispositions relevant to the adjudication of the N-400, as called for by Policy Memorandum #64, in the file? <b>(CRITICAL)</b>				
	(b) Are all arrests/convictions that are noted in any way in the file for which evidence of the dispositions have not been requested properly annotated on the N-650B?				
	(c) Was the required supervisory review / concurrence annotated on the PWS before the adjudicator made the final decision? <b>(CRITICAL)</b>				
13.	If the fingerprints were rejected as unclassifiable, was/were:				
	(a) Sworn statement in the file? <b>(CRITICAL)</b>				
	(b) Police clearances in file? <b>(CRITICAL)</b>				
14.	Is there an approval stamp on the N-400?				
15.	Is the PWS properly annotated to indicate that the file was reverified before the Oath Ceremony or is there evidence in the applicant's file or CLAIMS that reverification was performed prior to the oath ceremony? <b>(CRITICAL)</b>				
16.	Is the Certificate Preparation Sheet/Oath Declaration in the file?				
17.	Does (Do) the PWS(s) contain the identifiable written annotations for all other required entries?				
18.	Is the proper SWIP barcode affixed on the file				
Continuation Processing Notes		Yes	No	NA	Comments
19.	If necessary, has any additional documentation been requested on an N-14 if so, is there a service copy in the file?				
20.	If the response to #12 is Yes, does the N-14 specify when applicant must submit requested information?				
21.	In cases that are continued, but do not require additional documentation from the applicant, is the reason for continuance clearly indicated in the remarks section of the PWS?				

INSPECTED:

NOTIFIED:

QA Analyst's Signature

Date

Supervisor's Signature

Date

USE SEPARATE SHEET FOR ADDITIONAL COMMENTS  
District/Sub-Office N400 Processing Quality Checklist

Form N-651B (Rev. 9/30/03)

# Appendix V: Adjustment of Status (I-485) Processing Quality Assurance Checklist

U.S. Citizenship and Immigration Services				Processing Quality Assurance Checklist			
Date Filed:			A#:				
Date of Initial Interview:			3-Digit Office Code:				
Date of Final Decision:							
<b>Security Systems Checks</b>							
		Yes	No	N/A	Comments		
1	Was IBIS check valid at time of decision? (expiration/names checked)						
2	If IBIS hit, is there evidence in the record of resolution?						
3	Has the appropriate entry been made to the FD-258 Control Number line on the PWS and is there evidence of an FD-258 Control Number in the file that was valid on the date of the decision? (If rejects, one set of rejected fingerprints must be unexpired)						
4	If the fingerprints were rejected as "Unclassifiable", was/were:						
	(a) Sworn statement in file?						
	(b) Police clearances in file?						
5	If the FD-258 Control Number is an "IDENT", has/have the FBI rap sheet(s) been placed in the file?						
6	Was FBI name check completed?						
7	Was CIA name check completed?						
<b>Adjudication Process</b>							
		Yes	No	N/A	Comments		
8	If adjudicated on a T-file with a positive background check, was there ADDA/OIC (or higher) concurrence?						
9	If adjudicated on a T-file with a negative background check, was there SDAO (or higher) concurrence?						
10	If the I-485 processing worksheet indicates potentially disqualifying criminal history, was the required supervisory review/concurrence annotated on the PWS before the adjudicator made the final decision?						
11	Was visa number requested/available at time of approval?						
12	Is there evidence in the file that an underlying petition had been approved at the time of the decision where applicable?						
13	Is the decision properly annotated on the I-485?						
14	If the case is denied, is a copy of the denial retained in the file?						
15	Is the proper SWIP barcode affixed on the file?						
<b>Continuation Processing Notes</b>							
REASON FOR CONTINUATION							
a. Documents				f. Needs Supervisory Review			
b. IBIS				g. Visa Availability			
c. Security check issues				h. Other			
d. Review/Decision Preparation				i. Notice of Intent to Deny			
e. Referral for investigation				j. Nothing Noted			
TIME FRAME FOR CONTINUATION:		3-6 MONTHS	6 MONTHS TO 1 YEAR	GREATER THAN 1 YEAR			
		Yes	No	N/A	Comments		
1	Is the adjudicating officer's name and date of interview noted on the I-485?						
2	Is the reason for continuation indicated on the Processing Worksheet?						
INSPECTED:				NOTIFIED:			
QA Analyst's Signature				Supervisor's Signature			
Date				Date			
USE SEPARATE SHEET FOR ADDITIONAL COMMENTS							
Adjustment of Status Processing Quality Assurance Checklist							

# Appendix VI: Service Center Checklists Used for Reviewing Quality Assurance of Petitions for a Nonimmigrant Worker

**I-129 H1B APPROVAL**  
**QUALITY ASSURANCE REVIEW CHECKLIST**  
Rev. 1

Reviewer Number: \_\_\_\_\_  
 Review Period: December-04  
 File Number: \_\_\_\_\_

		Pass	Fail	Comments
HQ	0	0	0	Check petition with the list
CSC	0	0	0	Check petition with the list
Yes	No	NA	Reviewer Status	

Instructions: - Complete "Reviewer Number" and "Review Period" on Worksheet 1. Information will automatically populate to all other worksheets. Provide "File Number" on all Worksheets and Worksheet 10. - If "Yes" or "No" is selected, the "Reviewer Status" will be automatically populated.

Proper Filing, Eligibility and Evidence				
1	Was application/petition properly signed?	1	0	0
2	Is the petitioner a US employer?	0	1	0
All Categories				
3	Is there an LCA certified for the dates and place of employment?	0	0	1
4	Does position offered meet specialty occupation requirements?	0	0	0
5	Does beneficiary meet education/experience requirement?	0	0	0
6	If required, does beneficiary meet state licensure requirements?	0	0	0
7	Is requested validity within the maximum stay in H or L status?	0	0	0
8	If J-1/2 subject to 212e, have requirements been met or waived?	0	0	0
9	If COS/EOS, is beneficiary maintaining status?	0	0	0
Physician				
10	Does beneficiary have license to practice medicine in a foreign state or has graduated from medical school in or outside US?	0	0	0
11	If beneficiary will perform direct patient care, does he/she have license or other authorization from state of employment?	0	0	0
12	If beneficiary will perform direct patient care, did he/she receive medical education in US or pass FLEX, NBME, or USMLE test?	0	0	0
13	If beneficiary will perform direct patient care, has he/she passed English portion of ECFMG or received education in US or Canada?	0	0	0
Security Checks				
14	Were NSEERS requirements met, if necessary?	0	0	0
15	Is there a valid IBIS check?	0	0	0
16	If IBIS hit, was it resolved?	0	0	0
Decision (If no, please explain in comments section below)				
17	Is the decision to approve correct?	0	0	0
Endorsements and Notice				
18	Are endorsements on petition correct?	0	0	0
19	Is information in CLAIMS correct?	0	0	0
20	Are validity dates correct? If no, please explain in comments section	0	0	0
21	Is the classification correct?	0	0	0
22	Were IBIS checks completed on all names/DOBs?	0	0	0

O ComQA-129H1B Approval (1) Rev 1.06  
 DM 1/11/04

Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

I-129 H1B APPROVAL  
QUALITY ASSURANCE REVIEW CHECKLIST  
Rev. 1

Reviewer Number: \_\_\_\_\_  
Review Period: December-04  
File Number: \_\_\_\_\_

HQ	0	0
CSC	0	0

H = HQ  
I = Internal  
C = General

QA Results:

23	Decision - HQ	Pass:	0	Reject:	0
24	Processing - Internal	Pass:	0	Reject:	0

Comments: Add a short narrative describing any deficiency. Include the criteria category in the far right column. This  
tableted breach section below will automatically wrap for a total capacity of 250 lines per petition. (Text  
entered in each section automatically fills the corresponding Deficiency section in the QA Results Form)

1		
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Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

**I-129 H1B APPROVAL**  
**QUALITY ASSURANCE REVIEW CHECKLIST**  
Rev 1

Reviewer Number: \_\_\_\_\_

Review Period: December-04

File Number: \_\_\_\_\_

	Per	Edit	Review Initiation Date for the File
HQ	0	0	Date: 00/00/00
CSC	0	0	Date: 00/00/00

**QA Results Form**

The attached file did not meet current quality standards.

The attached checklist will identify areas that did not meet Quality Assurance standards.

Please correct all deficiencies listed below.

1	0	0
2	0	0
3	0	0
4	0	0
5	0	0
6	0	0
7	0	0
8	0	0
9	0	0
10	0	0

H = HQ  
 I = Internal  
 C = General

↓

Please return the attached file corrected within 3 - 5 business days to Division X ACD-Quality Assurance

RAFACS Code: ETREET116

No later than \_\_\_\_\_

**To be Completed by Adjudication Division Making Corrections**

Date: \_\_\_\_\_ Officer Number: \_\_\_\_\_

Corrections Made by Adjudication Division:

1	
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O-Com/OA-129H1B Approval (1) Rev 1.05  
DM 11/11/04

Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

**I-129 H1B DENIAL**  
**QUALITY ASSURANCE REVIEW CHECKLIST**  
Rev 1

Reviewer Number: \_\_\_\_\_

Review Period: December-04

File Number: \_\_\_\_\_

Pass	Fail	Not Reviewed
0	0	0
0	0	0
0	0	0

Instructions: - Complete "Reviewer Number" and "Review Period" on Worksheet 1. Information will automatically populate to all other worksheets. Provide "File Number" on all Worksheets and Worksheet 100.

Yes	No	Not Reviewed
<b>Proper Filing, Eligibility and Evidence</b>		
0	0	0
0	0	0
<b>All Categories</b>		
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0
<b>Physician</b>		
0	0	0
0	0	0
0	0	0
0	0	0
<b>Security Checks</b>		
0	0	0
0	0	0
0	0	0
<b>Abandonment</b>		
0	0	0
0	0	0
0	0	0
<b>Decision (if no, please explain in comments section below)</b>		
0	0	0
<b>Endorsements and Notice</b>		
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0
0	0	0



Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

**I-129 H1B DENIAL**  
**QUALITY ASSURANCE REVIEW CHECKLIST**

Rev 1

Reviewer Number: \_\_\_\_\_

Review Period: December-04

File Number: \_\_\_\_\_

	Pass	Fail	Not Reviewed
HQ	0	0	0
CSC	0	0	0

QA Results:				
26	Decision - HQ	Pass:	0	Reject: 0
27	Processing - Internal	Pass:	0	Reject: 0

**Comments:** Add a short narrative describing any deficiency. Include the criteria category in the far right column. Text entered in each section below will automatically wrap for a total capacity of 2 to 3 lines per section. Text entered in each section automatically fills the corresponding Deficiency section in the QA Results Form.

H = HQ  
I = Internal  
C = General

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Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

**I-129 H1B DENIAL**  
**QUALITY ASSURANCE REVIEW CHECKLIST**  
Rev. 1

Reviewer Number: \_\_\_\_\_

Review Period: December-04

File Number: \_\_\_\_\_

HQ	0	0
CSC	0	0

H = HQ  
 = Internal  
 C = General

**QA Results Form**

The attached file did not meet current quality standards.

The attached checklist will identify areas that did not meet Quality Assurance standards.

Please correct all deficiencies listed below.

1		0
2		0
3		0
4		0
5		0
6		0
7		0
8		0
9		0
10		0

Please return the attached file corrected within 3 - 5 business days to Division X ACD-Quality Assurance  
**RAFACS Code: ETREET116**  
 No later than \_\_\_\_\_

**To be Completed by Adjudication Division Making Corrections:**  
 Date: \_\_\_\_\_ Officer Number: \_\_\_\_\_  
 Corrections Made by Adjudication Division:

1	
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O Com/QA/I-129 H1B Denial (1) Rev. 1.4s  
 DM: 11/11/04

Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

I-129 H1B RFE QUALITY ASSURANCE REVIEW CHECKLIST					
Reviewer Number: 0		Review Period: January-05		File Number:	
Decision		Yes	No	NA	Reviewer Notes
<b>Evidence</b>					
1	Was the RFE specific to the case/evidence?	0	0	0	
2	If additional evidence was requested, was the insufficiencies of the submitted evidence cited?	0	0	0	
3	If additional evidence was requested, were examples of suitable/acceptable submissions cited? (use NA, if not applicable)	0	0	0	
4	Is the requested evidence supported by legal precedence?	0	0	0	
5	Has appropriate discretion been applied to justify the request?	0	0	0	
6	Was the requested evidence found in the file?	0	0	0	
7	Was the decision to RFE necessary?	0	0	0	
8	Was all evidence requested necessary?	0	0	0	
9	Was the requested evidence determined to be over-reaching?	0	0	0	
<b>Additional Data Points</b>					
10	Is the Company Size between 0 - 10 Employees?	0	0	0	
11	Is the Company Size between 11 - 99 Employees?	0	0	0	
12	Is the Company Size more than 99 Employees?	0	0	0	
13	The Company Size was not indicated.	0	0	0	
<b>Quality Review Evidence List (Indicate what the RFE in question relates to)</b>					
14	Signature	0	0	0	
15	Petitioner's bona fides	0	0	0	
16	Ability to pay	0	0	0	
17	Presence of LC	0	0	0	
18	Validity of LC (i.e. location, Pet/Bene name, original, properly endorsed, etc)	0	0	0	
19	Job requirements commensurate with classification requested	0	0	0	
20	Beneficiary's qualification to fill the position	0	0	0	
21	If RN or PT, proper job notice posting	0	0	0	
22	If RN, CGFNS passing score or valid state license for place of employment	0	0	0	
23	If PT, valid state license for place of employment	0	0	0	
24	If substitution, job offer for substitute alien	0	0	0	
25	Secondary evidence	0	0	0	
26	Other	0	0	0	
<b>Fraud</b>					
27	During the review of the material related to the RFE, were there any Fraud indicators? If Yes, please comment	0	0	0	

Appendix VI: Service Center Checklists Used  
for Reviewing Quality Assurance of Petitions  
for a Nonimmigrant Worker

**I-129 H1B RFE**  
**QUALITY ASSURANCE REVIEW CHECKLIST**  
Rev. 1

Reviewer Number: 0  
 Review Period: January-05  
 File Number: \_\_\_\_\_

Pass	Reject	Do not complete only to the left They will not be used only to the left (Note: Submit only once for each RFE)
Decision	0	

**Comments:** (If decision to issue the RFE was not correct, give reason below)

#	Decision	Pass:	0	Reject:	0	
<b>Comments:</b> Add a short narrative describing any deficiency. Include the criteria category in the far right column. <small>Text entered in each section below will automatically enter for a total capacity of 2 to 3 lines per section.            (Text entered in each section automatically fills the corresponding Deficiency section in the OA Results Form)</small>						R = Reject C = General 
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 DM 11/1/04

# Appendix VII: Comments from the Department of Homeland Security

U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

November 8, 2005

Mr. Paul L. Jones  
Director, Homeland Security and Justice Issues  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Jones:

RE: Draft Report GAO-06-20, Immigration Benefits: Improvements Needed to  
Address Backlogs and Ensure Quality of Adjudications  
(GAO Job Code 440351)

The Department of Homeland Security appreciates the opportunity to comment on the Government Accountability Office's (GAO) draft report. We agree with the recommendations contained therein and appreciate the acknowledgement that significant progress in addressing backlogs of immigration benefit applications has been made.

The Department's U.S. Citizenship and Immigration Services (USCIS) top priority has been the elimination of the backlog of cases by the end of FY 2006, while ensuring the security and integrity of the immigration system. GAO found that USCIS has limitations in its ability to automatically track all applications through its existing technology infrastructure, which would ensure an accurate determination of each application that exceeded the 6-month processing time. However, USCIS has been able to manage its backlog elimination efforts through effective analysis of its workload and placing staff where workload needs demanded, focusing its efforts on petitions and applications where the benefit was immediately available, streamlining processes and adopting best practices identified in selected pilot initiatives. We agree with GAO's conclusion that USCIS faces challenges in meeting its FY 2006 goals for eliminating the backlog in its naturalization and adjustment of status workloads. We remain optimistic, however, that with dedicated effort, careful planning and strong leadership these goals are still attainable. To ensure that USCIS will not incur any additional backlogs in future years, USCIS is developing a case management system for deployment in October 2006. The vision is for all cases received after September 30, 2006, to be entered, tracked and managed through the new system.

The GAO's recommendations are useful in ensuring that USCIS provides decision makers with full and adequate information. The GAO first recommends the Secretary of

[www.dhs.gov](http://www.dhs.gov)

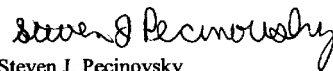
Homeland Security direct the Director of USCIS to develop and implement the capability to produce management reports on the actual age of individual benefit applications as soon as practicable in its long-term technology transformation process. The proposed case management system is being planned to provide this capability.

The GAO also recommends the Secretary of Homeland Security direct the Director of USCIS to (1) identify potential productivity gains and their effects on preventing future backlogs; and (2) identify the potential effects of technology improvements on its staffing allocation plans. We agree with the recommendation, and in response to the first part, USCIS is currently piloting several initiatives to increase productivity and efficiency. USCIS headquarters will continue to work with field components to seek methods to streamline processes while ensuring process integrity and security. Additionally, USCIS will continue to work with the USCIS Ombudsman's office in seeking opportunities to increase productivity within adjudicative processes while maintaining the integrity of the immigration system. In response to the second part of the recommendation, USCIS is committed to analyzing staffing allocation levels twice yearly to ensure that resources are properly aligned with workload. As business processes and information technology improvements are realized, resource allocations will change to fit the business model. By analyzing resource allocations every six months, those changes can be effected timely.

Finally, the GAO recommended the Secretary of Homeland Security direct the Director of USCIS to modify its quality assurance programs to address both adjudication process compliance and reasonableness of adjudicator decisions and expand coverage to all types of benefit applications. USCIS has embarked upon a comprehensive quality management program aimed at identifying, designing, and developing a set of quality performance measures that will be used to measure and report against Service-wide performance targets and that support USCIS strategic goals and objectives. The quality management program will include all form types as well as adjudicators' decisions.

Technical comments will be sent under separate cover.

Sincerely,



Steven J. Pecinovsky  
Director  
Departmental GAO/OIG Liaison Office

MMcP

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# Appendix VIII: GAO Contact and Staff Acknowledgments

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## GAO Contact

Paul L. Jones, (202) 512-8777 or JonesPL@gao.gov

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## Staff Acknowledgments

In addition to those named above, David Alexander, Leo Barbour, Karen Burke, Virginia Chanley, Frances Cook, Nancy Finley, Kathryn Godfrey, Clarette Kim, Marvin G. McGill, Eva Rezmovic, E. Jerry Seigler, James Ungvarsky, and Robert E. White were key contributors to this report.

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