



U.S. Citizenship and Immigration Services

Backlog Elimination Plan

Fiscal Year 2004, 3rd Quarter Update
November 5, 2004



U.S. Citizenship
and Immigration
Services

Prepared for the United States Congress

The Honorable James Sensenbrenner
Chairman, House Judiciary Committee

The Honorable John Conyers
Ranking Member, House Judiciary Committee

The Honorable John Hostettler
Chairman, Subcommittee on Immigration, Border Security and Claims
House Judiciary Committee

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The Honorable Ted Stevens
Chairman, Senate Appropriations Committee

The Honorable Robert Byrd
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Chairman, Senate Appropriations Committee
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The Honorable Orrin Hatch
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The Honorable David Obey
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The Honorable Martin Olav Sabo
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House Appropriations Committee

The Honorable Chris Cox
Chair, House Select Committee on Homeland Security

The Honorable Jim Turner
Ranking Member, House Select Committee on Homeland Security

Message from the Director

Last June, I was proud to present the Congress with the first Backlog Elimination Plan produced by the US Citizenship and Immigration Services (USCIS). In that plan, we laid out an aggressive strategy to eliminate a backlog of applications for immigration benefits and naturalization that had plagued the Immigration and Naturalization Service for almost a decade.

I am pleased to bring you the first quarterly report that demonstrates the progress that USCIS has made to eliminate the backlog since March of this year. During the third quarter of FY 2004, the backlog has been reduced by almost 340,000 applications. Completions are up 25% as compared to the third quarter in FY 2003 and completions have outpaced receipts in eight of the last nine months.

It is my sincere belief that this progress is not an anomaly or simply a momentary surge in production, but rather a strong foundation and a new baseline upon which increases in efficiency will be compounded.

I have stated that this commitment is not just one of words. Let me now show you the action. Let me demonstrate the progress we have made in just three months. Let me show the permanent changes to processes, policies, regulations, and information technology that have produced sustainable results. Let me describe the new tools managers are employing to better direct operations in the field.

The following pages will continue to tell the story that started in March of 2003 when USCIS was established. It is a story not only of backlog elimination, but also of Securing America's Promise by improving immigration services to enhance national security. Through our core values of Integrity, Respect, and Ingenuity, USCIS strives each day to meet our objectives: to enhance national security, improve customer service, and eliminate the backlog of pending applications.

We have a plan. We are on track. But we understand that we still have a long road ahead. There may be bumps and bends along that road, but we will reach the ultimate goal. By the end of 2006, we will eliminate the application backlog and achieve six-month cycle times, and in doing so will deliver on the President's vision of *"welcoming immigrants with open arms...not endless lines."*

Eduardo Aguirre



Director
U.S. Citizenship and Immigration Services



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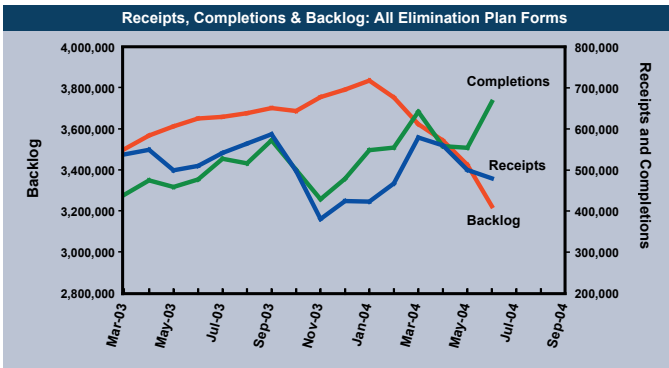
Production Update

The US Citizenship and Immigration Services (USCIS) quarterly report is designed to provide the Congress with an update on the progress the USCIS has made in its effort to eliminate the backlog of pending applications for immigration benefits and naturalization by the end of FY 2006. This initial quarterly report will cover the progress made during the third quarter of FY 2004.

The Backlog Elimination Plan submitted in June defines cycle time as the number of past months' receipts that equates to the volume of pending cases. Backlog is defined as the number of cases that exceed target cycle times. The Plan provided milestones to which all offices are managing and a tool has been developed to measure progress against the plan.

During FY 2004, the backlog rose steadily until the end of January and has been on the decline ever since. Since the beginning of the fiscal year, the backlog has been reduced by 477,961 applications, a reduction of 12.9%. From the high point in January, the backlog has been reduced by over 16%. Progress in the third quarter of FY 2004 resulted in the backlog decreasing by nearly 400,000 applications.

Cycle Times (in months)				
Form No.	Form Name	Oct '03	Aug '04	FY '04 Target
I-90	Replacement Green Card	12.7	6.3	10.0
I-129	Nonimmigrant Worker	2.4	1.5	2.0
I-130	Relative Alien Petition	27.2	11.8	30.0
I-131	Advance Parole	3.3	2.0	3.0
I-131	Refugee Travel Document	10.2	6.4	11.0
I-140	Immigrant Worker	8.7	10.6	8.0
I-485	Adjustment of Status	21.2	21.7	20.0
I-539	Extend/Change Nonimmigrant Status	6.5	4.3	5.0
I-751	Removal of Conditional Status	16.2	11.9	15.0
I-765	Employment Authorization Document	2.1	1.2	3.0
I-821	Temporary Protected Status	17.9	11.0	6.0
N-400	Naturalization	14.5	11.6	14.0
N-600/ N-643	Certificate of Citizenship	7.3	6.2	8.0
I-589	Asylum	34.6	23.0	23
I-881	Special Rule Cancellation of Removal	17.8	9.0	16
I-867	Credible Fear Referral	<1	<1	<1



Sources: USCIS Performance Analysis System (PAS), Refugee, Asylum and Parole System (RAPS), and Asylum Pre-Screening System (AAPS)

The chart above shows the progress made since the establishment of USCIS. Beginning in March 2003, the growth of the backlog began to slow until the trend was finally reversed in February 2004, when for the first time in twenty-eight months the backlog decreased in volume. Since that date, the backlog has decreased at an average rate exceeding 120,000 applications per month.

As shown in the next table, target cycle times for FY 2004 have been met or exceeded in 9 of the 13 applications types tracked in the Backlog Elimination Plan. The 13 applications tracked in the Backlog Elimination Plan constitute 94% of the USCIS workload.

Improvement Initiatives

USCIS seeks to improve customer service, shorten cycle times and enhance national security while adhering to a high level of quality. The leadership and talented workforce of USCIS intend to meet these challenging goals through the process improvements listed below. Each category has been updated to reflect progress during the third quarter of 2004.

Pilot Initiatives

Section 451 of the Homeland Security Act of 2002 authorizes the Director of USCIS to design and implement pilot initiatives for backlog elimination.

In addition, as authorized in Section 452 of the Homeland Security Act of 2002 USCIS is working with the Office of the Ombudsman to identify additional solutions, both Information Technology and workflow related, to improve customer service and reduce the backlog. The Ombudsman brings a new and unique perspective to improving processes and has been valuable in generating ideas for backlog elimination.

USCIS has implemented four pilot projects that will continue in the pilot phase through the end of FY 2004. At that time, USCIS will analyze the effectiveness of each pilot and make determinations regarding expansion or modifications.

Streamlining Process

A key component to the success of USCIS in eliminating its backlog in 2006 is to review and revise its processes to ensure efficiency. USCIS has made progress on several initiatives during the third quarter that have already yielded results.

Risk Assessment. USCIS believes that through the use of risk assessment, quality assurance, and fraud indicators, significant progress can be made in a short period of time to realign our workforce such that those cases that truly require adjudicative attention can be more fully scrutinized, and those that meet certain eligibility criteria can be handled in a more streamlined manner. USCIS is in the planning stages of developing more streamlined processes for low-risk cases.

Automating Manual Processes: USCIS has reengineered the adjudicative process for cases that do not actually provide a new benefit or status to the applicant. For example, the Application to Replace Permanent Resident Card (Form I-90) merely serves to replace evidence of a status already provided. USCIS sees this adjudicative process as a verification of identity and status. Since identity is verified at the time of filing, the largest segment of the cycle time currently experienced is the time spent waiting for an available officer to review the application and verify status in the system.

USCIS has used its electronic systems to cull out those pending cases where permanent resident status is not recorded and focus its adjudicative resources on those cases. USCIS has implemented this initiative with the support of the anti-fraud and quality components. Through this initiative, the backlog of Forms I-90 has been reduced from 271,036 to 136,170 during the quarter, a reduction of 134,866.

Request for Evidence. The USCIS goal is to increase the percentage of cases that will be completed at the time of initial review by an officer. Through a two-pronged campaign aimed at clarifying requirements for adjudicators and providing information to prospective applicants, USCIS has reduced requests for evidence (RFE) rates. During the third quarter of fiscal year 2004, RFE rates for Adjustment of Status applications (Form I-485) have dropped 22.3% compared to the second quarter. During the same period, RFE rates for nonimmigrant worker petitions (Form I-129) dropped by 14% and RFE rates for employment-based immigrant petitions (Form I-140) dropped 3%. Also during the third quarter, denial rates for forms I-485 have dropped by 2.3%. The I-140 denial rate dropped by 1.6% and the I-129 denial rate did not change. This data demonstrates that the processing change did not adversely affect denial rates as some stakeholders had anticipated.

Form I-130. During the third quarter of 2004, USCIS began planning a new initiative where Petitions for Alien Relative (Forms I-130) are processed as a visa number becomes available. Since a benefit cannot be obtained until a visa number is available, the initiative will not delay permanent resident status for eligible family members of United States citizens or lawful permanent residents. USCIS will institute this initiative in the fourth quarter of 2004.

Asylum. At the end of January 2004, the Asylum Division launched an initiative to expeditiously resolve cases in its pending caseload by determining whether certain applicants who are already eligible to apply for adjustment to lawful permanent resident (LPR) under special legislation still wish to pursue their asylum applications. By mining multiple USCIS systems for relevant data, the Asylum Division has been successful thus far in identifying asylum applicants who are no longer interested in pursuing their asylum claims and has been able to resolve their cases in an orderly and efficient manner. As of 8/22/04, the Asylum Division has been able to complete 27,466 cases as a result of this initiative, and is on track to complete approximately 40,000 of these cases total by the end of the fiscal year. We anticipate continuing this project through the next fiscal year, which will enable the Asylum Division to be in position to eliminate its backlog — consisting of approximately 200,000 cases as of 8/22/04 — by the end of FY 2006.

Improvement Initiatives

USCIS recognizes that any productivity enhancements must be carefully planned and monitored to ensure that process integrity and national security issues are not compromised in any way. Further, USCIS believes that these efforts to reduce cycle times and eliminate backlogs will actually enhance their national security efforts. The immediate results seen in several of the initiatives will serve as a basis on which to build.

Quality Initiatives

It is imperative that the integrity of the benefits process not be compromised in the effort to stimulate additional productivity. Efforts to benchmark and assure quality are at the heart of every production initiative.

For cases reviewed during the third quarter of 2004, the USCIS achieved an overall processing accuracy rate of 99.65% and a critical processing accuracy rate of 99.71%, exceeding the minimum acceptable accuracy rates of 96% and 99% respectively. In all cases corrective actions to prevent future problems were implemented. It was also verified that in applications where errors were detected, no applicant received a benefit for which he/she was not eligible.

Fraud Assessment and Deterrence Initiatives

USCIS understands that maintaining national security and deterring fraud are critical elements of its mission. To process these workloads, USCIS has established a Headquarters component responsible for working with the appropriate law enforcement entities in responding to national security hits on aliens who pose a threat to national security or public safety, and for identifying systemic fraud in the application process.

The anti-fraud structure, policies, processes, systems and other tools have been in development throughout the fiscal year and are on target for implementation during the fourth quarter of 2004.

Refugee Corps

The establishment of a Refugee Corps beginning in FY 2005 with an expanded management support structure will provide a strong and effective overseas refugee processing program that will more efficiently identify inadmissible persons and those who are of national security interest without compromising the USRP's humanitarian objectives. A Refugee Corps will ensure responsiveness to USRP commitments and goals, while eliminating, except in exceptional circumstances, the need to draw on scarce domestic program resources. It will also ensure the quality and consistency of refugee adjudications and improve the detection of refugee application fraud and the identification of security concerns relating to refugee admissions.

During the third quarter of FY 2004, USCIS worked to finalize a contract to assist in the development of the Refugee Corps project. In August, USCIS awarded that contract.

Information Technology

USCIS has commenced the design phase of a new system, the Tracking Applications for Benefits System (TABS) that will remedy these shortfalls by delivering a repository of consolidated, end-to-end information for immigration applications. Centralized application information will allow USCIS to identify potential bottlenecks and more effectively plan resource allocation.

During the third quarter, USCIS has taken a number of substantial steps to resolve infrastructure and functionality issues that have hampered operations. USCIS has replaced hardware and upgraded software on its primary system, CLAIMS3, at the National Benefits Center. The process of upgrading the infrastructure will be the basis for a decision on how best to proceed with the four Service Centers. The modifications were successful and enhanced system performance and stability.

InfoPass, a web-based scheduling tool that was originally available at the Miami District Office was expanded to the Los Angeles and New York District Offices and plans have been made to make the system available to all District Offices by the end of FY 2004. The tool allows customers to schedule themselves for appointments at the local office to file an application or obtain information. This alternative to waiting in line will greatly enhance customer service and provide USCIS with a better tool to manage its resources.

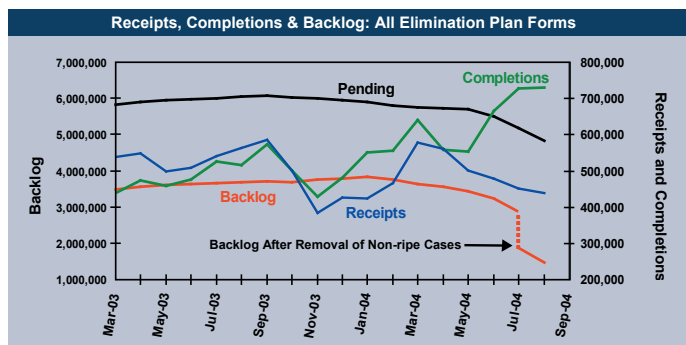
Also in the third quarter, USCIS expanded the number of forms that may be filed electronically from two to eight. The form-types that may now be filed electronically constitute almost two-thirds of the immigration benefits filings annually.

Fourth Quarter Preview

This report has focused on the progress made in the third quarter of FY 2004 by USCIS to eliminate backlogs while improving customer service and never yielding on national security. The third quarter was one where momentum was gained, production increased and backlogs were decreased. USCIS has not simply experienced a temporary peak in production that will return to previous levels in a month or two. The continued progress on all key measurements into the fourth quarter provides additional evidence that the initiatives aimed at streamlining processes, improving technology and enhancing customer service produced sustainable results.

During July, USCIS distinguished in its calculation of “backlog” those cases that were ripe for adjudication, where a benefit was immediately available through the approval of an application or petition, and those that were not ripe, where even if the application or petition were approved today, a benefit could not be conferred for months or years to come. Those cases that were considered not ripe for adjudication were excluded from the number of cases in the backlog but remain in the pending. For example, the number of pending cases in excess of a statutory cap or ceiling is not considered as part of the backlog volume. Also, immigrant petitions where a visa number is required, but not available, are not considered as part of the backlog.

Taking into account the new distinction in backlog vs. pending cases, during the month of July and based on preliminary August data, USCIS has reached record high completions levels and the backlog has been reduced to about 1.48 million cases. Completions continue to outpace receipts and backlog continues to fall at a steady rate. Also, national deployment of the InfoPass scheduling tool has been completed, nearly a month ahead of schedule, improving customer service and reducing lines outside district offices.



Sources: USCIS Performance Analysis System (PAS), Refugee, Asylum and Parole System (RAPS), and Asylum Pre-Screening System (AAPS)

The backlog volume as indicated above reflects the number of cases that are beyond target adjudication cycle times where the delay in processing the application or petition is causing a delay in an eligible applicant receiving a benefit.

As a result of the progress made during FY 2004, USCIS has approved nearly 3,500 adjustment of status applications for applicants applying under the Indo-Chinese parolee provisions of Public Law 106-429. That statute has a cap of 5,000, regardless of the fiscal year

in which the applications are approved. USCIS anticipates reaching that number of approvals in early FY 2005. After the cap is reached, no additional applications will be able to be approved under this public law.

Since the beginning of the third quarter, monthly completions have increased by 21.6% as compared to the base-line completion level used in the Backlog Elimination Report Update of June 2004.

Conclusion

The third quarter of 2004 was a successful one for USCIS. Completions increased, and backlog decreased. During that time, significant work has been completed in the Quality, Anti-Fraud, and Information Technology areas. Additionally, processes were examined and refined, and momentum has been gained.

USCIS attributes much of this early success to the willingness of field managers, supervisors and employees to accept Director Aguirre’s challenge: to focus on a single vision, to provide the right benefit to the right person in the right amount of time without allowing the wrong person to access immigration benefits.

While the news for the third quarter is extremely positive, the goal of eliminating the backlog by FY 2006 will require consistent positive performance in future quarters. Although the finish line looms in the distance, USCIS can use the momentum of these early gains to meet the challenges ahead with innovative ideas, firm commitment to the mission, and confidence of assured success.