# Annual Report 2004

September 2004

U.S. Citizenship
and Immigration
Services

# ❧ *Prepared for the United States Congress* ❧

The Honorable Orrin Hatch, Chairman -
Committee on the Judiciary -
United States Senate -

The Honorable Patrick Leahy, Ranking Member -
Committee on the Judiciary -
United States Senate -

The Honorable James Sensenbrenner, Chairman -
Committee on the Judiciary -
U.S. House of Representatives -

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

The Honorable Saxby Chambliss, Chairman -
Subcommittee on Immigration, Border Security and Citizenship -
Committee on the Judiciary -
United States Senate -

The Honorable Edward M. Kennedy, Ranking Minority Member -
Subcommittee on Immigration, Border Security and Citizenship -
Committee on the Judiciary -
United States Senate -

The Honorable John Hostettler, Chairman -
Subcommittee on Immigration, Border Security and Claims -
Committee on the Judiciary -
U.S. House of Representatives -

The Honorable Sheila Jackson Lee, Ranking Minority Member -
Subcommittee on Immigration, Border Security and Claims -
Committee on the Judiciary -
U.S. House of Representatives -

The Homeland Security Act of 2002 requires the Director of U.S. Citizenship and Immigration Services (USCIS) to respond to any recommendations submitted in the USCIS Ombudsman's annual report to Congress within three months after its submission to Congress.

"The Citizenship and Immigration Services Ombudsman Annual Report 2004" was submitted to Congress in June of 2004 and reported on three improvement recommendations: 1) Streamlining Family-based Immigrant Processing, 2) Reengineering "Green Card" Replacement Processing, and 3) Streamlining Employment-based Immigrant Processing.

USCIS Director Eduardo Aguirre has worked cooperatively with the Office of the Ombudsman to turn these recommendations into pilot projects in four USCIS locations. The purpose of the Pilot Projects is to test certain concepts presented by the Ombudsman to determine viability in terms of operational impact, customer service, cost savings, and scalability.

USCIS selected four pilot sites and began implementing the pilot projects in March of 2004. The pilots will run through September 30, 2004, and will be evaluated throughout the pilot period. Based on statistical evaluations of the pilot projects, decisions will be made to expand, modify or terminate one or more of the projects.

## Streamlining Family-based Immigrant Processing

The CIS Ombudsman recommended a "one-step, front-end adjudication process whereby applicants would appear at a USCIS local office to file applications packages for permanent residence and be interviewed on the same day."

The recommendation was intended to shorten the amount of time it takes USCIS to process an application. The objectives are to eliminate the need for interim work and travel authorization and to reduce the number of times security checks are repeated on the same applicant. Applicants are typically provided interim benefits while an application for permanent residence is pending. The time period for issuing interim benefits is 90 days, as is the period of validity of certain security checks.

In response to the Ombudsman's recommendation, USCIS planned and implemented two pilot projects that will run through September 30, 2004. One pilot project in Dallas, Texas follows closely the process proposed by the Ombudsman to meet the objectives. The applicant initiates the process by scheduling an interview and USCIS' processing occurs after the interview is conducted.

The New York City local office is the location of a second pilot project for this family-based initiative. The New York pilot differs from the Dallas pilot in that in New York, USCIS rather than the applicant schedules the interview appointment. This enables USCIS to complete security checks and obtain relevant files prior to the interview. In order to meet the same objectives as the Dallas pilot, the interviews are scheduled within 90 days of filing, before the expiration of security checks and before the point when interim employment and travel authorization is required to be issued.

Preliminary data from the Dallas and New York Pilots show mixed results, 45% of cases are completed within 90 days, but pilot cases incur additional costs beyond normal processing. At this point, the data are not complete enough to draw conclusions about the efficacy of the pilots.

## Reengineering "Green Card" Replacement Processing

The Ombudsman recommended a "one-step, front-end process whereby the applicants would appear at a USCIS local office where identity would be verified, status confirmed, security checks performed, and a preliminary decision rendered." The underlying objective was to produce and issue a Permanent Resident Card (Green Card) within 90 days so that initial security checks would not expire and need to be run a second time.

At the time of the original recommendation to Director Aguirre, USCIS had been in the planning stages of a similar project that would reduce the processing time from over 12 months to less than 30 days by leveraging the resources at USCIS' Application Support Centers.

USCIS is currently piloting a project in the Los Angeles, California Application Support Centers that meets the objectives of the Ombudsman's proposal. Applicants who electronically file an Application for Replacement or Renewal of a Permanent Resident Card are instructed to schedule themselves for an appointment at a local Application Support Center (ASC). At the ASC, an applicant's fingerprints, photograph and signature are captured electronically, identity is verified, and status is confirmed. At the time of filing, security checks are initiated and typically are completed at the time of appointment. Applications filed by eligible applicants are approved on the day of the appointment and a Permanent Resident Card is ordered on that day. That card is produced and mailed to the applicant within 48 hours of the order. Those applications that require additional research are referred to the district office for resolution.

Preliminary data from the Los Angeles Pilot show that 88% of the applications were able to be completed within 90 days but other data about impact on other operations, cost, and scalability are not yet available.

## Streamlining Employment-based Immigrant Processing

The recommendation for employment-based immigrant processing is similar to that of the family-based process: a "one-step, front-end adjudication process whereby the applicants would appear at a USCIS local office to file applications for permanent residence and be interviewed on the same day." The overarching goal was for USCIS to complete the entire process within 90 days, to avoid needing to issue interim employment and travel authorization and to complete applications before the expiration date of the original security check.

USCIS developed a pilot project based on this recommendation that meets the overarching goal but allows processing to remain at a Service Center. These applications normally are filed at Service

Centers and often are adjudicated without interview. Rather than change the filing procedure for applicants or add local interviews to the process, USCIS designed this pilot to occur in the Service Center environment.

The pilot was designed for the California Service Center's applications for aliens with advanced degrees. Security checks are initiated at the time of filing and the cases are referred to an adjudicator for action before day 90. Eligible applicants whose security checks have been completed and returned as negative are approved and Permanent Resident Cards are ordered at the time of initial review. Applications that do not establish eligibility or whose security checks are not complete are handled on an exception basis.

Preliminary data from this pilot is disappointing because only 25% of the cases are completed in 90 days or less, but the sample size is relatively small. Data collection and analysis will continue.

## Conclusion

Over the past year, USCIS has made tremendous strides in reducing its backlogs while at the same time maintaining a focus on quality and public safety and security. We have done this by being open to innovation and critically evaluating programs and processes. We have done this to old programs, new programs, and pilots.

USCIS will continue to work cooperatively with the USCIS Ombudsman and to evaluate these pilots as well as other recommendations.