U.S. Citizenship and Immigration Services

Backlog Elimination Plan

Fiscal Year 2004, 4th Quarter Update
March 16, 2005

**U.S. Citizenship
and Immigration
Services**

❧ *Prepared for the United States Congress* ❧

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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

The Honorable Sheila Jackson Lee
Ranking Member, Subcommittee on Immigration, Border Security and
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The Honorable Thad Cochran
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The Honorable Robert Byrd
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The Honorable Harold Rogers
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The Honorable Martin Olav Sabo
Ranking Member, Subcommittee on Homeland Security
House Appropriations Committee

The Honorable Chris Cox
Chair, House Committee on Homeland Security

The Honorable Bennie G. Thompson
Ranking Member, House Committee on Homeland Security

Message from the Director

Last summer, I presented to Congress the first Backlog Elimination Plan produced by the US Citizenship and Immigration Services (USCIS). That plan laid out an aggressive strategy to keep the President's promise to eliminate backlogs of applications for immigration benefits and naturalization that had plagued the Immigration and Naturalization Service for almost a decade.

During the ensuing six months, USCIS has made unparalleled progress toward eliminating the backlog. The fourth quarter of FY 2004 saw record completion levels. During the last two quarters, USCIS has decreased the number of pending cases by almost one million, reached six month or better cycle times in 7 of the 16 Backlog Elimination forms, and completed the fiscal year by exceeding completion targets by more than 10%.

I am even more proud of these accomplishments knowing that this progress has been made while continuing to enhance national security. USCIS continues to conduct national security background checks on each applicant during the adjudicative process. Never before has this workforce produced as many quality decisions as it has in the past six months.

Additionally, USCIS has enhanced customer service by completing national implementation of InfoPass, a web-based scheduler that allows customers to schedule appointment on-line rather than wait in line. During the fourth quarter, USCIS completed national deployment ahead of schedule and the impact has been astounding. Lines outside local offices have all but been eliminated, enhancing the convenience, safety, and comfort of our customers and their families.

Guided by 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. The efforts of the women and men of USCIS during the past six months have been true to those values and have yielded outstanding results.

With the end of the fiscal year, USCIS has reviewed and updated its plan to eliminate the backlog. Higher than expected completion rates in certain areas have resulted in lowering of required completions in those areas, while higher than expected receipts in Naturalization will require USCIS to concentrate more resources in that area over the next two years. This quarterly report provides new fiscal year completion targets and updates projections for FY 2005 and 2006.

USCIS will not rest on past success, but rather use it as a springboard to overcome the challenges that may lie ahead. We will realign our workforce with our workload to ensure that we meet the six-month cycle time target at every office and in every case-type.

With the success of the fourth quarter, USCIS has established that it has the mettle to accomplish this significant task that the President has laid before us. 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 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 report will cover the progress made during the months of July, August, and September of 2004.

The Backlog Elimination Plan submitted in June 2004 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.

USCIS aims to process all applications, from application to adjudicative decision, within a defined cycle time that ranges from 1 to 6 months depending upon the specific benefit. USCIS began FY 2004 with 6 million pending applications for benefits. Of the 6 million applications, 2.3 million were adjudicated within the appropriate cycle time. The remaining 3.7 million applications had already exceeded the cycle time target for their type, and therefore were identified as backlog. During the course of FY 2004, USCIS reduced the backlog by over 1.1 million through increased adjudicative production.

In July of 2004, USCIS adopted the strategy of focusing its backlog elimination resources first on the 1.5 million individuals awaiting benefits that would be immediately available with a positive adjudicative decision, and for whom an excessive cycle time represents delay in the potential granting of an immigration benefit. The remaining 1.1 million applications are immigrant visa petitions on behalf of individuals for whom no visa numbers are currently available due to statutory numerical limitations. For these early submission cases, cycle time is not directly relevant to the actual availability of the benefit for which the application was submitted, so those cases, while taken in receipt order and considered active, pending cases, are no longer included in the USCIS backlog definition.

The backlog at the end of FY 2004 stood at just over 1.5 million cases. USCIS completed almost 2.2 million cases during the fourth quarter while receiving about 1.3 million new cases in receipts. This was the most productive quarter on record for USCIS.

Receipts, Completions, and Backlog: All Backlog Elimination Plan Forms
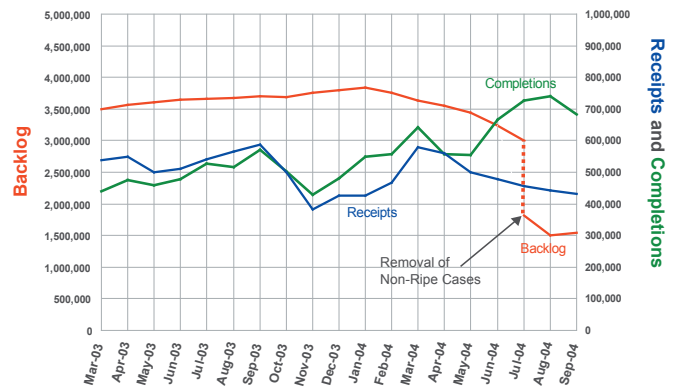
The chart above shows the progress made since the establishment of USCIS. Beginning in March 2003, the growth of the backlog began to slow until the trend was finally reversed in February 2004, when for the first time in twenty-eight months the backlog decreased in volume.

As shown in the next table, target cycle times for FY 2004 have been met or exceeded in 15 of the 16 applications types tracked in the Backlog Elimination Plan. The 16 applications tracked in the Backlog Elimination Plan constitute 94% of the USCIS workload.

Cycle Time Goals by Form Type (in months)

Form No.	Form	FY '04 3rd Quarter	FY '04 4th Quarter	FY '04 Goal	FY '05 Goal
I-485	Adjustment of Status	22.35	19.77	20	15
I-129	Nonimmigrant Worker	1.08	1.53	2	2
I-539	Extend/Change Nonimmigrant Status	2.62	3.25	5	4
I-90	Replacement Green Card	9.36	5.35	10	8
I-130	Relative Alien Petition	32.86	13.88	30	16
I-131	Advance Parole	2.59	1.76	3	3
I-131	Refugee Travel Document	9.16	5.65	11	7
I-140	Immigrant Worker	10.94	11.06	8	7
I-751	Removal of Conditional Status	13.79	11.22	15	11
I-765	Employment Authorization Document	1.77	1.69	3	3
I-821	Temporary Protected Status	10.59	12.3	6	6
N-400	Naturalization	13.03	11.82	14	10
N-600/ 643	Certificate of Citizenship	6.32	6.62	8	7
I-539	Asylum Application	31.75	20.03	23	14
I-881	NACARA 203 Application	10.14	8.64	16	9
I-867	Credible Fear Referral	<1	<1	<1	<1
All Forms		10.34	9.68	N/A	N/A

Production Update (continued)

Updating FY 2005-2006 Completion Targets

The Backlog Elimination Plan (BEP) submitted to Congress in June 2004 established annual completion targets for each of the sixteen BEP form types and set a target of 6,397,975 completions during FY 2004. In FY 2004, USCIS completed 7,090,195 applications, 692,220 completions above the established target. Completion targets for eleven out of the sixteen BEP form types were exceeded by a total of 777,141 completions but the remaining five form types accounted for a cumulative shortfall of 84,922 completions. Accordingly, FY 2005 and 2006 completion targets for each BEP form type will need to be adjusted to account for the various levels of output that were realized during FY 2004.

Projected receipts in FY 2004 were 5,609,255 while actual receipts totaled 5,620,827 accounting for a difference of only 0.2%. Adjustments to completion targets for individual form types have been made to account for differences between expected versus actual receipts in FY 2004. USCIS updated receipt projections for Naturalization applications (Form N-400) based on FY 2004 receipt levels, and employment authorization applications (Form I-765), due to receipts anticipated from Temporary Protective Status (TPS) applicants. The net result is that FY 2005 and 2006 receipts levels will be greater than the original BEP receipt projections by approximately 152,888 cases. Changes in receipt projections affect completion targets in two ways: First, changes in receipt levels affect completion targets in the broadest sense whereby an increase in projected receipts will lead to an increase in required completions. Second, since receipts serve as the basis for establishing acceptable target pending levels, the acceptable target pending levels will either decrease or increase based on the new receipts projection. These two variables have offsetting effects in terms of establishing completion targets but the effect of the first variable dominates.

Finally, adjustments to completion targets have been made to take into account changes to pending levels that occurred as a result of physical/systems inventories and corrections to the historical data. The only notable change to pending levels that occurred as a result of correcting historical data pertains to the I-129 and I-539 form type, the reporting of which underwent a substantive change in FY 2004. The change consisted of reporting all data elements based on the number of application filings rather than the number of individuals listed on a given application. Net adjustments to pending levels are predominantly influenced by inventory/audit adjustments whereby USCIS Field Offices and Service Centers perform manual/systems audits of their pending counts in order to verify the accuracy of their reported figures in the Performance Analysis System (PAS). If the results of the audit indicate that PAS pending counts are either understated or overstated, then an appropriate adjustment will be made in PAS. Offices and Service Centers perform audits throughout the year and the cumulative effect of all of these changes resulted in an increase to the overall pending level of approximately 200,000 applications in FY 2004.

As a result of updating completion targets for FY 2005 -2006 with the latest available information, completion targets for the next two years are 371,891 fewer than the original targets. However, significant variances exist across the form types. For example, I-765 completion targets experienced a reduction of approximately 372,000 cases as a result of completing 218,033 more cases than targeted in FY 2004. The following table lists the original and the new FY 2005 and 2006 completion targets for each of the BEP form types.

FY 2005-2006 Completion Targets

Form No.	Form Name	ORIGINAL FY '05 Completion Target	REVISED FY '05 Completion Target	ORIGINAL FY '06 Completion Target	REVISED FY '06 Completion Target
I-485	Adjustment of Status	936,164	838,706	1,154,635	990,392
I-485	Asylee Adjustment of Status	10,000	10,000	10,000	10,000
I-129	Nonimmigrant Worker	341,844	423,271	341,844	418,125
I-539	Extend/Change Nonimmigrant Status	290,594	231,499	290,988	272,713
I-90	Replacement Green Card	681,725	588,605	681,725	624,583
I-130	Relative Alien Petition	1,503,957	1,585,617	1,272,579	1,305,920
I-131	Advance Parole	305,835	255,858	305,835	295,369
I-131	Refugee Travel Document	174,567	118,137	183,295	189,429
I-140	Immigrant Worker	105,227	107,069	105,268	87,044
I-751	Removal of Conditional Status	175,556	179,261	197,361	248,376
I-765	Employment Authorization Document	1,770,000	1,463,196	1,770,000	1,705,176
I-821	Temporary Protected Status	12,000	23,343	12,000	13,826
N-400	Naturalization	666,667	763,655	666,667	883,717
N-600/ N-643	Certificate of Citizenship	69,947	59,885	69,947	64,501
I-589	Asylum	97,000	93,733	110,815	100,605
I-881	NACARA 203	25,000	19,105	18,620	14,970
I-867	Credible Fear Removal	5,000	5,085	5,000	5,000
Total		**7,171,083**	**6,766,024**	**7,196,578**	**7,229,746**

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 fourth 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.

USCIS has implemented four pilot projects that will continue in the pilot phase through the end of FY 2004. During the first quarter of FY 2005, USCIS will analyze the effectiveness of each pilot and make determinations regarding expansion or modifications.

Streamlining Processes

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 so 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. As such, the adjudicative process is to verify 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 eliminated. USCIS eliminated this backlog more than twelve months ahead of schedule.

Requests 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 last half of fiscal year 2004, the ratio of RFE to completions for Adjustment of Status applications (Form I-485) have dropped 22% compared to the first two quarters of the fiscal year. During the same period, RFE ratios for nonimmigrant worker petitions (Form I-129) dropped by 1% and RFE ratios for employment-based immigrant petitions (Form I-140) dropped 12%. Also during the last two quarters of FY 2004, average denial rates for forms I-140 and I-129 have remained largely unchanged at 21% and 10%, respectively, over the year. The average denial rate for form I-485 has declined from 20% the first half of FY 2004 to 18% in the second half. This data demonstrates that the processing change increased efficiency but did not adversely affect denial rates, as some stakeholders had anticipated.

Form I-130. During the fourth quarter of 2004, USCIS began prioritizing Petitions for Alien Relative (Forms I-130) to focus first on processing cases where a visa number is 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. This initiative has pulled applications filed on behalf of spouses and children immediately eligible for benefits and put them at the front of the line. The first-in-first-out processing policy previously in place would hold these in chronological order by filing date regardless of when a benefit might be available. This initiative has enabled families to be reunited more quickly without adversely affecting the permanent residence process for applicants subject to numerical limitations.

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.

Improvement Initiatives (continued)

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 fourth quarter of 2004, USCIS achieved an overall processing accuracy rate of 99.6% and a critical processing accuracy rate of 99.7%, 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.

The current USICS quality assurance program consists of an internal process validation through random samples of completed work. In order to comply with the Program Assessment Rating Tool (PART), USCIS has contracted with a major consulting firm to validate the Quality Assurance results from FY 2004. Results of that study will be available later in the year.

Fraud Assessment and Security 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 (Office of Fraud Detection and National Security or FDNS) responsible for working with the appropriate law enforcement entities in detecting and combating immigration benefit fraud, and identifying persons seeking immigration benefits who pose a threat to national security and/or public safety.

FDNS has worked cooperatively with the CIA to reengineer that agency's Name Trace process by including relevant CIA data into IBIS. FDNS has also worked to improve the IBIS national security hit resolution process. By eliminating the need for running antiquated CIA name trace checks on all applications and petitions and taking over the IBIS national security hit resolution process, FDNS has eliminated two major delays in the adjudicative process. FDNS is currently involved in discussions with the Department of State (DOS) to see if USCIS can eliminate IBIS checks on overseas cases as being duplicative of checks done by DOS. Speeding the process by which background checks are completed eliminates duplication of work and review thereby contributing to the backlog elimination effort.

The anti-fraud structure, policies, processes, and other tools were developed in FY 2004 and are now (FY 2005) in the process of being implemented. Nearly all 100 FDNS immigration officers have been hired, cleared, and entered-on-duty at USCIS Headquarters, in Service Centers and in District Offices. 75 of the 100 have already completed the newly developed anti-fraud course at the USCIS Immigration Officer Academy. By the end of calendar year 2004, all officers were trained. This means that USCIS' new and unprecedented anti-fraud operation will commence full operation upon the start of 2005.

Refugee Corps

For several years, the Office of Refugee Affairs has stated that in order to provide protection to at-risk refugee populations, while simultaneously combating fraud in the refugee program, it needs permanent resources and staff dedicated to refugee adjudications. Therefore, USCIS has begun the work necessary for the hiring and deployment of a dedicated corps of refugee officers for FY 2005. The establishment of a refugee corps will greatly enhance program responsiveness and flexibility. Refugee Corps officers will be based in Washington D.C., but will travel to overseas locations for up to fifty percent of the year. While on temporary duty assignments overseas, a Refugee Officer will conduct interviews of applicants for refugee resettlement in the United States. While in Washington, officer assignments will support overseas operations, fraud deterrence and security, and training and quality assurance. The hiring process for the refugee corps is slated to begin in early 2005.

In order to make the vision of the refugee corps a reality, USCIS entered into a contract with a management consulting firm for technical assistance in the design and launching of the corps. Through extensive meetings with staff and refugee resettlement program stakeholders, progress has been made toward development of a new proposed organizational design.

Information Technology

USCIS has commenced the design phase of a new system, the Tracking Applications for Benefits System (TABS) that will provide 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. TABS is expected to be deployed in FY 2007 and while not a component of the backlog elimination effort, it is worthy of mention in this context as it will serve as a linchpin that will enable USCIS to prevent backlogs from reoccuring in the years ahead.

InfoPass is a web-based scheduling tool that was originally available at the Miami District Office. In August, USCIS completed nationwide deployment to all local District Offices, one month ahead of schedule. 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 has greatly enhanced customer service and provides USCIS with a tool to manage its resources more effectively.

Conclusion

In the fourth quarter of 2004, USICS saw record-high completion levels and a significant reduction in both backlog and the number of pending cases. Through this effort, completion targets for FY 2004 were exceeded by more than 10% and nearly all cycle time targets were exceeded. Additionally, significant steps have been taken during that period to improve the Quality, Anti-Fraud, and Information Technology areas. Additionally, processes were examined and refined, and momentum has been gained.

The pervasive commitment to national security has been indelibly interwoven into adjudicative processes to honor our commitment to our mission and to the Department, the Congress, and the American people. Our commitment to the safety, security and comfort of our customers and their families has been honored through the expansion of a web-based scheduler that no longer required families to queue outside local offices in the pre-dawn hours. Our backlogs are down, our pending has been decreased, and our completion rates are the highest in history.

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 fourth quarter is extremely positive, the goal of eliminating the backlog by the end of FY 2006 will require consistent positive performance in future quarters. Year-end data has allowed USCIS to recalibrate its backlog elimination plan and revise stretch targets. USCIS will use the momentum gained in FY 2004 to meet the challenges ahead with innovative ideas, firm commitment to the mission, and confidence of assured success.