



U.S. Citizenship and Immigration Services

Backlog Elimination Plan

Fiscal Year 2006, 3rd Quarter Update
December 11, 2006



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

The Honorable Sheila Jackson Lee
Ranking Member, Subcommittee on Immigration, Border Security and
Claims, House Judiciary Committee

The Honorable Thad Cochran
Chairman, Senate Appropriations Committee

The Honorable Robert Byrd
Ranking Member, Senate Appropriations Committee

The Honorable Judd Gregg
Chairman, Senate Appropriations Committee
Subcommittee on Homeland Security

The Honorable Arlen Specter
Chairman, Senate Judiciary Committee

The Honorable Patrick Leahy
Ranking Member, Senate Judiciary Committee

The Honorable John Cornyn
Chairman, Subcommittee on Immigration, Border Security and
Citizenship, Senate Judiciary Committee

The Honorable Edward Kennedy
Ranking Member, Subcommittee on Immigration, Border Security and
Citizenship, Senate Judiciary Committee

The Honorable Jerry Lewis
Chairman, House Appropriations Committee

The Honorable David Obey
Ranking Member, House Appropriations Committee

The Honorable Harold Rogers
Chairman, Subcommittee on Homeland Security
House Appropriations Committee

The Honorable Martin Olav Sabo
Ranking Member, Subcommittee on Homeland Security
House Appropriations Committee

The Honorable Peter King
Chair, House Committee on Homeland Security

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

Table of Contents

<i>Acknowledgement</i>	<i>i</i>
<i>Table of Contents</i>	<i>ii</i>
<i>Message from the Director</i>	<i>iii</i>
<i>Production Update</i>	1
Background	1
Backlog Defined	1
Deductions from Backlog	1
<i>All Backlog Elimination Plan Forms Chart</i>	1
Applications Where a Benefit is Not Immediately Available	2
Applications Held in Abeyance	2
Asylee Adjustment of Status Applications	2
Active Case Management	2
Quality Assurance	3
National Security	3
Mission and Structure of FDNS	3
FDNS Collaboration with Immigration and Customs Enforcement	4
Completions, Receipts, and Backlog	4
<i>Backlog Totals & Cycle Time Table</i>	4
<i>FY 2006 3rd Quarter Data Review Table</i>	5
Backlog Elimination Prognosis	5
<i>Quarterly Completion Volumes Table</i>	6
Homeland Security Act – Sec. 478	7
<i>Sec. 478 Receipts and Denial Tables</i>	7
<i>Sec. 478 Cycle Times Table</i>	8
<i>Sec. 478 Pending and Backlog Table</i>	9
<i>Conclusion</i>	9

Message from the Director

I am pleased to present the U.S. Citizenship and Immigration Services (USCIS) Fiscal Year (FY) 2006 Third Quarter Update to report on our continued progress on Backlog Elimination efforts.

Since our establishment in 2003, USCIS has made dramatic progress in backlog elimination and customer service efforts while simultaneously increasing our role in supporting homeland security initiatives and reorganizing key business elements to achieve operational efficiency. Our three strategic imperatives of enhancing national security, improving customer service and maintaining operational excellence guide our ongoing efforts to eliminate the backlog.

Today, more than 70% of all previously backlogged cases have been completed since the height of 3.85 million cases in January 2004. At the end of June, the overall backlog stood at 1,164,000 cases. Of this amount, more than 971,000 are backlogged for reasons outside of USCIS control such as unavailable visa numbers or customer induced delays. The remaining 193,000 cases are within USCIS control. When taking this into account, the remaining 193,000 cases represent a backlog of 5% of the 3.85 million high point. This achievement is a testament to the thousands of USCIS employees who came in early, stayed late and worked weekends to complete their production goals. What's more important, however, is what USCIS employees have not done. They have not cut corners or used shortcuts. They have not lost their focus on national security. They have not compromised quality or integrity in the name of production.

Since 2003, USCIS has mandated that every applicant undergo a national security and background check. We have also expanded the range of applicants required to submit fingerprints and other biometrics at USCIS Application Support Centers. Each day, USCIS employees complete more than 135,000 security and background checks. These critical measures have reduced fraud and abuse and have detected individuals who pose a threat to our communities.

USCIS is better prepared than at any time in our history to build upon our accomplishments, move forward and create a modern immigration system for the 21st century. Tackling the backlog has proven our ability to perform under pressure and excel under a mandate. Today we are a more flexible, sturdy business organization capable of shifting our weight around to take every advantage of our trained and experienced staff. I have every confidence in our employees and capable leadership that, should Congress or the President call on our agency to lead again in the future, we will answer with the same level of success we have seen in this incredible achievement.



A handwritten signature in black ink, appearing to read "Emilio T. Gonzalez". The signature is fluid and cursive.

Dr. Emilio T. Gonzalez
Director
U.S. Citizenship and Immigration Services

Production Update

Background

The USCIS quarterly report is designed to provide Congress with an update on the progress USCIS has made in its effort to eliminate the backlog of pending applications for immigration benefits by the end of FY 2006 and attain a six-month processing goal for many types of applications. This report will cover the progress made during the 3rd Quarter of FY 2006.

Changes in the number of pending applications are themselves significant when looking at performance. In the 3rd Quarter of FY 2006, the number of pending applications increased by 12,018 to a total of 3.36 million from the 3.34 million applications pending at the end of the 2nd Quarter of FY 2006.

While a good indicator of performance, the number of pending applications is also affected by changes in demand and production and, therefore, is not the best indicator of processing time. Current technology systems employed by USCIS District Offices and Service Centers do not produce aging reports from which average wait times or processing times can be calculated based on the actual processing age of each case. USCIS uses the "Cycle Time" measurement, in other words, the number of pending applications expressed in months of receipts, to closely approximate the average processing time. This is a reliable measure when used with a "first in, first out" adjudications policy.

Backlog Defined

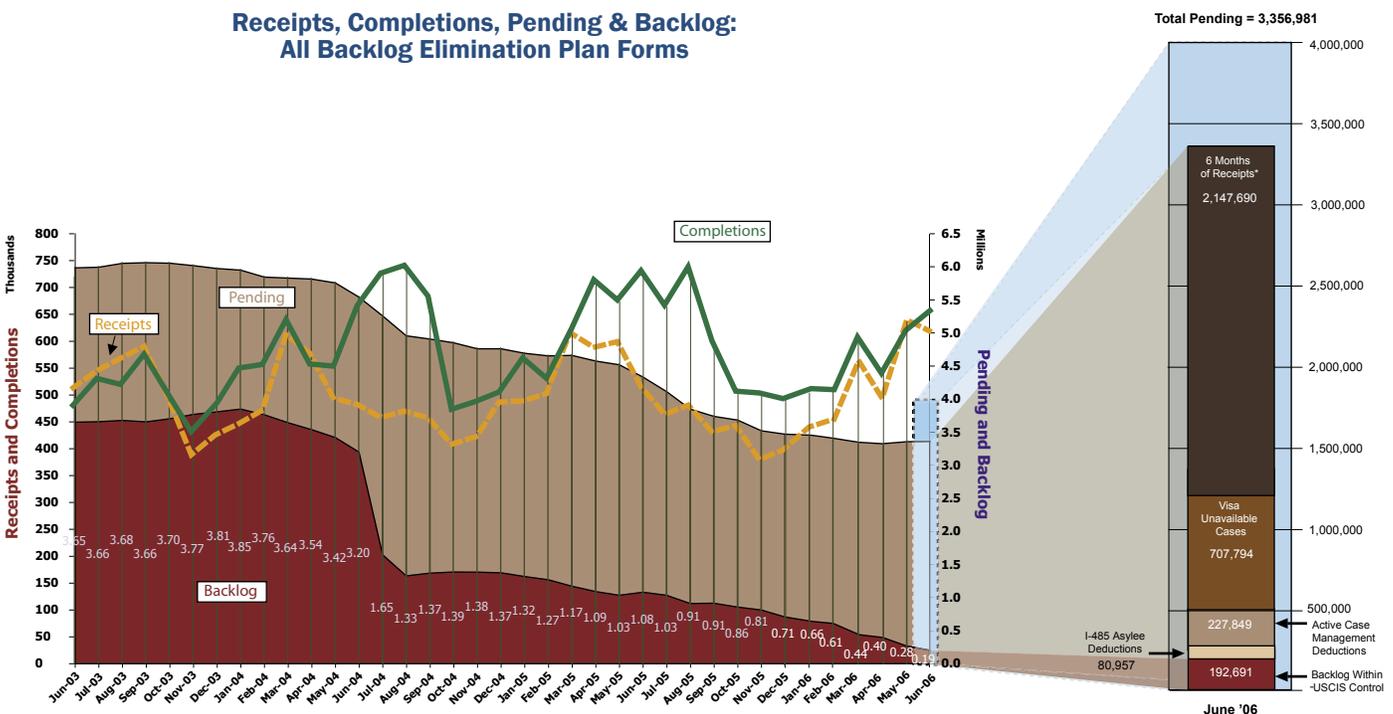
USCIS defines "backlog," generally, as the number of pending applications that exceed acceptable or target pending levels for each case type. Acceptable pending levels are determined for each distinct case type by totaling the number of applications received during a specific target cycle-time period (usually six months).¹ Backlogs are calculated for each case type and totaled to determine the aggregate backlog. This ensures that backlogs in one product are not obscured by the faster production of less complex products.

Deductions from Backlog

For each application type, USCIS removes from the calculated backlog the total number of pending applications that it is unable to complete due to statutory caps or other bars, including applications where a benefit is not immediately available to the applicant or beneficiary (such as "non-ripe" Form I-130, Relative Alien Petitions where a required visa number is not available, and I-485 cases where the visa number is no longer available due to regression, see Applications Held in Abeyance, below).

¹ For the asylum (Form I-589) and NACARA 203 (Form I-881) caseloads, USCIS defines backlog as the number of cases remaining after subtracting an average of six months production from the total number of cases pending. Due to the Asylum Division's unique "last in, first out" scheduling policy for asylum petitions, as well as its low annual receipts relative to its production, this method of calculating backlog makes most sense for Asylum and NACARA 203 cases.

**Receipts, Completions, Pending & Backlog:
All Backlog Elimination Plan Forms**



* For some form types, the target Cycle Time and thus the number of months of Receipts is less than six months.

Applications Where a Benefit is Not Immediately Available

“Non-ripe” Form I-130, Relative Alien Petitions where a required visa number is not available have been deducted from the USCIS backlog since July 2004. At the end of the 3rd Quarter FY 2006 there were 676,956 non-ripe I-130s.

Applications Held in Abeyance

An alien may file an application for adjustment of status to permanent residence when a visa number is available. If a regression of priority dates occurs due to an oversubscription in a category, as determined by the Department of State, USCIS is legally prohibited from granting permanent residence to adjustment applications affected by the regression. By long-standing practice, USCIS holds such applications in abeyance until visa numbers become available.

For example, the July 2005 Department of State Visa Bulletin indicated that family-based visa numbers for unmarried sons and daughters (over age 21) from Mexico of United States citizens (F1) regressed more than ten years, and employment based visa numbers for skilled workers (EB3) became unavailable worldwide. This reflects a revision by the State Department of its assessment of the level of demand for limited visa numbers in the affected categories. These two significant shifts in visa number availability in July 2005 had an effect on the number of Applications to Register Permanent Resident or Adjust Status, Form I-485 that USCIS could complete under the statute. Those applications for which visa numbers are no longer available are considered pending, but are not counted as part of the backlog. Visa-regressed I-485s have been deducted from the USCIS backlog since May 2005.

USCIS has identified each affected case and only discounted from the backlog those cases where processing has otherwise been completed and the case approvable but for the unavailability of a visa number due to limitations on annual immigration. These applications have been temporarily removed from the backlog and will be completed once visa numbers are available.

Asylee Adjustment of Status Applications

The Real ID Act “ripened” a significant number of I-485 Asylee Adjustment of Status applications by eliminating the statutory numerical restrictions that had limited production. Our initial sense was to immediately include all of these applications in the backlog count. After further evaluation, USCIS modified this conclusion, and determined that adding these applications to the backlog would have significantly affected the production and cycle time for other products. USCIS developed a production plan to eliminate by the end of FY 2007 the new backlog of applications “ripened” by the Real ID Act, and factored as backlog any volume of pending

applications greater than the production plan’s goal of pending workload. For the 3rd Quarter of FY 2006 80,957 cases were removed from the Asylee Adjustment backlog based on this plan. These cases are scheduled for processing in FY 2007.

Active Case Management

As part of our effort to work through the backlog, we worked to identify and quantify the many factors that can and do affect the processing of individual cases. We identified a number of factors that result in processing delays “outside of USCIS control.” These include applications awaiting customer responses to requests for information, applications in suspense to afford customers another opportunity to pass the naturalization test, and applications awaiting an FBI name check or other outside agency action.

For consistency, USCIS is now also applying the concept of active case management to Nicaraguan Adjustment and Central American Relief Act (NACARA) 203 and asylum applications that are not ripe for adjudication for reasons outside of USCIS control. As a matter of procedure, approvals of NACARA 203 applications are issued to the applicants on the day of their interview, provided that the applicants have submitted the required supporting documentation and have cleared the required security checks. We have determined that we were unable to issue decisions on the interview date in approximately 3,536 pending cases at the end of June 2006 because the applicant either had not cleared security checks (e.g. the FBI name check) by the interview date or failed to provide all of the necessary supporting documentation, such as court disposition records and tax records, required as a result of adverse factors.

Other asylum cases that were unripe for adjudication included:

- Asylum cases associated with NACARA 203 unable to be adjudicated until the NACARA 203 case is resolved - estimated at 3,182 cases as of the end of the 3rd Quarter of FY 2006.
- 863 cases were on hold pending review by other components within Homeland Security and/or outside agencies, and unripe for adjudication.
- 5,803 cases could not be adjudicated because they were pending a security check response.

To provide more transparency to the factors that contribute to the backlog, USCIS will continue to provide the overall backlog total along with a breakdown of this total to illustrate how much of the backlog is under USCIS control and how much can be attributed to other factors outside of USCIS control. For these reasons, USCIS identified 227,849 cases, as of the end of the 3rd Quarter of FY 2006 that we are unable to adjudicate solely for reasons outside our control, in addition to the abeyance cases mentioned in the

section above. By the end of the 2nd Quarter FY 2006, USCIS had implemented Active Case Management, file tracking procedures, and data extraction from systems to improve case management, and this enabled this accounting.

At the end of the 3rd Quarter of FY 2006 the overall backlog total is 1,163,749. Of this amount, the total backlog within USCIS control is 192,691. This is a reduction of 250,274 from the 442,965 case backlog reported at the end of the 2nd Quarter of FY 2006.

Quality Assurance

Since the Agency's creation, USCIS has sought to improve its performance. Completion rates, which are based on the time it takes to complete a particular form, have been consistently improving. This has allowed USCIS to increase its output. It should be noted that while production and efficiency are increasing, a high level of quality has been sustained.

As USCIS continues to become more productive we are also continuing to take actions that ensure the integrity of the immigration system. Efforts to benchmark and assure quality are at the heart of every USCIS production initiative. The current USCIS quality assurance program consists of an internal process validation through the review of random samples of completed work.

During the 3rd Quarter of FY 2006, USCIS achieved a 99.89% accuracy rate for naturalization applications and a 99.38% accuracy rate for adjustment of status applications. Both rates exceed the minimum acceptable accuracy rate of 99%. In all applications where an error was identified, corrective actions to prevent future problems were implemented and no applicant received a benefit for which he/she was not eligible.

National Security

Maintaining the integrity of our immigration system is our first and most critical priority. USCIS has a vital national security role within the Department of Homeland Security (DHS).

USCIS national security efforts are ongoing. We continually adapt to potential threats to enhance the security of our immigration system and stamp out fraud and abuse. To this end, USCIS has created the National Security and Records Verification Directorate (NSRV) to merge all national security functions under one roof. NSRV ensures that investigative resources are strategically positioned to deliver services internally to other USCIS offices, and externally to other DHS components and federal and local law enforcement entities. This newly created Directorate includes the

USCIS Office of Fraud Detection and National Security (FDNS), Office of Records and the Office of Verification.

FDNS handles all USCIS' intelligence work, fraud detection and national security cases. Since 2003, USCIS has mandated that every applicant undergo a national security and background check. We have also expanded the range of applicants required to submit fingerprints and other biometrics at USCIS Application Support Centers. Each day, USCIS employees complete more than 135,000 security and background checks. These critical measures have reduced fraud and abuse and have deterred and removed individuals who pose a threat to our communities.

Mission and Structure of FDNS

The mission of FDNS is to enhance the integrity of the legal immigration system by identifying threats to national security and public safety, detecting and combating benefit fraud and removing systemic and other vulnerabilities. FDNS will enhance national security and the integrity of our legal immigration system by:

- Ensuring that background checks are conducted on all applicants.
- Detecting, pursuing and deterring immigration benefit fraud.
- Performing as USCIS' primary conduit to and from the law enforcement and intelligence agencies.
- Identifying and removing systemic and other vulnerabilities that compromise the integrity of the legal immigration system.

FDNS consists of nearly 400 immigration officers, intelligence research specialists, adjudications officers and analysts throughout USCIS Headquarters and the field. There are four divisions within FDNS: Policy Development and Analysis; Fraud Detection Operations; National Security; and the Intelligence Division. Some of the primary responsibilities of FDNS that enhance our security every day include:

- Developing fraud detection and national security policies and procedures.
- Conducting benefit fraud assessments to determine fraud rates, causes and solutions.
- Providing first-line supervision of Fraud Detection Units in USCIS field offices.
- Overseeing the resolution of all background check hits and adjudication of cases with national security implications.
- Developing anti-fraud courses and training for FDNS field staff.
- Coordinating with other federal and local enforcement and intelligence agencies to ensure the integrity of our legal immigration benefits system.

FDNS Collaboration with Immigration and Customs Enforcement

FDNS is also collaborating with U.S. Immigrations & Customs Enforcement's (ICE) Identity and Benefit Fraud Unit on a joint strategy aimed at detecting and combating immigration benefit fraud and identifying and removing aliens who pose a threat to national security and public safety. Cooperation between FDNS and ICE has helped to improve the incidence of enforcement actions:

- ✦ Document and benefit fraud investigations increased from 2,334 in FY 2004 to 3,591 in FY 2005.
- ✦ Criminal indictments in benefit fraud investigations increased from 767 to 875.
- ✦ Arrests rose from 1,300 to 1,391 cases.
- ✦ Convictions increased from 559 to 992 cases.

Through the development of FDNS and its collaboration with other government partners, USCIS is remaining steadfast in its commitment to protect our national security.

Completions, Receipts, and Backlog

We continue to be encouraged by the production levels realized during the past fiscal years. Great progress has been made since the establishment of USCIS. For example, FY 2005 completions were 3% higher than FY 2004, and 30% higher than FY 2003. During

this same period, receipts levels have remained lower than those of FY 2003. FY 2004 receipts were 15% below FY 2003 totals and FY 2005 receipts were 10% below FY 2003 totals.

At the end of the 3rd Quarter FY 2006, cycle time goals were met or exceeded for 12 of the 16 application form types for which annual targets were set by the BEP at the beginning of the BEP period. USCIS added Form I-485, Asylee Adjustment of Status, in the FY 2005 3rd Quarter Update as the 17th distinct form type to be tracked in the BEP. Because of our implementation of the two-year production plan for this form type, a cycle time target was not set for FY 2006.

The forms I-485, Application for Adjustment of Status, and N-400, Application for Naturalization cycle times represented the greatest challenges for USCIS, since these forms take the longest to complete. Despite this challenge, the cycle time for N-400s is now less than six months and the cycle time for I-485 regular applications is only 2.32 months above its target of six months. Since the 2nd Quarter Report, four forms have reached the FY 2006 target cycle times. N-400 Naturalization, I-751 Petition to Remove Conditions on Residence, I-821 Application for Temporary Protected Status, and I-881 NACARA form types have all reached the end of FY 2006 cycle time goals.

As explained above, Forms I-485 and N-400 take longer to complete than all other BEP forms. A completion for such a form

Backlog Totals & Cycle Time

Form Name	Form Number	End of 3rd Quarter FY 2006 Cycle Time	End of FY 2006 Target Cycle Time	End of 3rd Quarter FY 2006 Backlog
Application to Adjust Status (Non-Abeyance Cases)	I-485	8.32	6	99,588
Application to Adjust Asylee Status	I-485	n/a	6	0
Petition for Nonimmigrant Worker	I-129	1.82	2	0
Application to Extend/Change Status	I-539	2.99	3	0
Application to Replace Permanent Resident Card	I-90	2.90	6	0
Petition for Alien Relative (Visa Available Only)	I-130	8.34	6	72,047
Application for Travel Document - Advanced Parole	I-131 Adv/Prl	2.18	3	0
Application for Travel Document - Reentry Permit	I-131 RP/RD	2.03	3	0
Immigration Petition for Alien Worker	I-140	3.30	6	0
Petition to Remove Conditions on Residence	I-751	5.18	6	0
Application for Employment Authorization	I-765	1.94	3	0
Application for Temporary Protected Status	I-821	1.62	6	0
Application for Naturalization	N-400	5.79	7	0
Application for Certificate of Citizenship	N-600 & N-643	7.28	6	5,766
Asylum Application	I-589	8.07	6	15,214
NACARA 203 Application	I-881	4.69	6	0
Credible Fear Referral	I-867	0.68	<1	77
			TOTAL	192,691

type represents a greater effort in backlog elimination than a completion for a more quickly completed form, such as the Form I-765, Application for Employment Authorization. It is important to note that the high number of Form I-485 and Form N-400 completions during the 2nd Quarter FY 2006 means that backlog elimination efforts were actually greater than the completions figure alone suggests.

Equally important is to frame the progress made toward backlog elimination in terms of increased efficiency. For the past two years, USCIS has outlined in quarterly updates initiatives that will streamline processes and increase efficiency while maintaining security. Among the many initiatives, USCIS has:

- Piloted new processes to find more efficient methods of operations;
- Updated policies and procedures to eliminate duplicative efforts;
- Initiated systems sweeps to replace inefficient manual queries to increase productivity while at the same time bolstering process integrity;
- Reallocated staff to align resources with workload; and,
- Redistributed workloads to offices with excess capacity.

In the June 16, 2004 Backlog Elimination Plan Update, USCIS indicated that significant increases in productivity were required to eliminate backlogs. Analysis of production data from FY 2004 and FY 2005 demonstrates that the initiatives referenced above had a dramatic effect on productivity that is continuing into FY 2006. Overall, USCIS was 38% more efficient, in terms of output per hour expended, in the 3rd Quarter of FY 2006 than during the period April 2003 to March 2004, the 12 months prior to the implementation of the update to the BEP.

Backlog Elimination Prognosis

Completion targets for BEP forms are generally calculated based on pending levels and projected receipts.² In order to prevent a backlog, annual completions must generally be equivalent to the current pending plus half of the projected annual receipts. Each form type requires a different average amount of adjudicator time to complete. This completion rate, multiplied by the number of required completions for the particular form type, results in the measure of workload in expected adjudicator hours required.

In response to provisions of the Real ID Act of 2005 that eliminated the annual limitation on asylum adjustments, USCIS immediately added approximately 174,000 Asylee Adjustment of Status applications to the backlog in June 2005. Completions of

A Brief Review of FY 2006 3rd Quarter Data:

FY 2006 Q3 Data as compared to:	
Completions Exceeding Filings	60,244
Q2 Filings	20.97%
Q2 Completions	12.36%
BEP Completions Target	17.13%
Overall YTD Completions compared to:	
BEP Target	6.18%
FY 2006 Cycle Time Targets Met	12/16

Form I-485, Application to Register Permanent Resident or Adjust Status, filed by individuals granted asylum in the United States, had previously been capped by statute at 10,000 per year, and the workload had been included in the total Form I-485 figures for pending and completions. USCIS has developed a production plan to eliminate the new backlog of applications ripened by the Real ID Act by the end of FY 2007, and factored as backlog any volume of applications pending greater than that required to meet that production plan and goal. The implementation of this production plan has resulted in a change in the reported backlog for this form type. As of the end of the 3rd Quarter, there is no longer a backlog of I-485 Asylee applications.

Due to variances between actual historical receipts and the receipt projections used in previous office staffing efforts, resources have not been fully aligned with where the workload resides. In particular, the Eastern Region is experiencing backlogs greater than the Western and Central Regions. In the past, Adjudications Officers were detailed out of Central and Western Region District Offices that were on track for backlog elimination. Adjudications Officers are now being detailed out of Service Centers with sufficient capacity to Eastern Region District Offices with greater backlogs. USCIS plans to continue these details and to relocate non-interview work from Eastern Region offices throughout FY 2006.

As stated previously, by the end of the 2nd Quarter FY 2006, USCIS had fully implemented its Active Case Management program. Active Case Management involves clearly identifying which cases are ready for final adjudication and removing those cases from the backlog which are not ripe for processing, because we have asked a customer for more information and we are

² Please see footnote 1 for how backlog targets are calculated for asylum (Form I-589) and NACARA 203 (Form I-881).

Quarterly Completion Volumes During 4th Quarter 2005 & 1st Through 3rd Quarter 2006:

Form Name	Form Number	4th Quarter FY 2005 Completions	1st Quarter FY 2006 Completions	2nd Quarter FY 2006 Completions	3rd Quarter FY 2006 Completions
Application to Adjust Status	I-485	209,536	182,105	232,393	235,031
Application to Adjust Asylee Status	I-485	16,390	28,844	53,549	26,031
Petition for Nonimmigrant Worker	I-129	117,686	97,928	96,350	119,407
Application to Extend/Change Status	I-539	70,174	49,114	59,138	52,033
Application to Replace Permanent Resident Card	I-90	104,331	207,393	207,591	281,616
Petition for Alien Relative	I-130 (All)	320,185	253,095	246,381	203,932
Application for Travel Document - Advanced Parole	I-131 Adv/Prl	61,563	57,923	52,963	54,815
Application for Travel Document - Reentry Permit	I-131 RP/RD	57,562	30,454	32,521	33,703
Immigration Petition for Alien Worker	I-140	24,301	22,751	23,832	41,805
Petition to Remove Conditions on Residence	I-751	41,810	40,221	26,648	52,735
Application for Employment Authorization	I-765	535,763	307,929	302,839	366,694
Application for Temporary Protected Status	I-821	178,148	15,326	28,773	55,783
Application for Naturalization	N-400	209,722	172,756	201,831	231,320
Application for Certificate of Citizenship	N-600 & N-643	12,868	12,772	14,419	19,735
Asylum Application	I-589	31,416	15,095	19,126	22,396
NACARA 203 Application	I-881	6,204	6,568	11,679	12,014
Credible Fear Referral	I-867	886	1,385	1,128	1,188
	Totals	1,998,545	1,501,659	1,611,161	1,810,238

awaiting their response; they failed a naturalization test on the first try and are awaiting their response; or we are waiting for the results of record checks from other agencies. Doing so allows USCIS to more efficiently process its workload by focusing its attention and resources on those cases ready for final processing. USCIS also removes from the calculated backlog approved naturalization cases that remain pending only for the customer to take the Oath of Allegiance and be sworn in as a new citizen. To ensure that applications awaiting the Oath do not themselves become backlogged, USCIS has adjusted the cycle time goal for naturalization applications to reflect six months to decision and one month for the Oath to be scheduled and taken. USCIS believes that by providing a breakdown of the overall backlog by those cases backlogged under USCIS control vs. those outside USCIS control, we are more accurately quantifying the volume of pending applications that exceed target pending levels due to USCIS processing delays that adversely affect eligible applicants.

Finally, as more offices reduce cycle times in FY 2006 toward the six-month targets, limitations to the extent to which the time spent in each segment of case processing can be shortened are becoming more constraining.

These challenges will not discourage the invigorated USCIS workforce. During the past two years, USCIS has made dramatic progress in backlog elimination and customer service while simultaneously increasing its role in supporting national homeland security initiatives. USCIS will meet the challenges for the remaining months of FY 2006 with the same dedication, commitment, and integrity. At the end of FY 2006, USCIS will be proud of the progress it has made in its backlog elimination effort and of the success the young agency has had in restoring integrity to the nation's immigration system.

Homeland Security Act - Sec. 478

Sec. 478 of the Homeland Security Act requires that the Secretary issue an annual report on immigration functions, beginning one year after enactment of the Act. The following addresses this requirement:

- (A) The aggregate number of all immigration applications and petitions received, and processed, by the department: 6,157,373 immigration applications and petitions were received during the reporting period (July 2005 - June 2006). During the same period, 7,160,515 applications were processed.
- (B) Region-by-region statistics on the aggregate number of immigration applications and petitions filed by an alien (or filed on behalf of an alien) and denied, disaggregated by category of denial and application or petition type:

USCIS currently collects office production data on denials for 1) fraud and 2) reasons other than fraud. The creation of FDNS has led to the implementation of procedures wherein fraud denials are systematically verified. Adjudicators may deny an application/petition when fraud is suspected if they have grounds to deny the case for reasons other than fraud, i.e. abandonment, ineligibility, or inadmissibility (except fraud), prior to referring the case to FDNS. However, even if the case is denied or withdrawn, when fraud is suspected and the minimum threshold for referral is met, the adjudicator must refer the case to FDNS. This policy ensures that all findings of fraud are sufficiently vetted and substantiated.

Sec. 478 Receipts and Denial Table

Eastern Region				
Form Name	Form Number	Receipts	Denied Fraud	Denied Other
Application to Replace Permanent Resident Card	I-90	106,168	0	409
Petition for Nonimmigrant Worker	I-129	3,566	1	5
Petition for Alien Relative	I-130 (All)	114,254	2,822	24,786
Application for Travel Document - Advanced Parole	I-131 Adv/Pri	12,147	34	1,347
Application for Travel Document - Reentry Permit	I-131 RP/RD	177	0	7
Immigration Petition for Alien Worker	I-140	1	2	3
Application to Adjust Status (All)	I-485	211,460	6,706	66,841
Application to Extend/Change Status	I-539	2,702	15	565
Petition to Remove Conditions on Residence	I-751	381	944	5,502
Application for Employment Authorization	I-765	39,841	40	4,535
Application for Temporary Protected Status	I-821	133	3	391
Application for Naturalization	N-400	343,234	1,274	75,189
Application for Certificate of Citizenship	N-600 & N-643	27,248	86	2,020
All Other Forms		72,020	14,712	197,697
Totals		933,332	26,639	379,297

Central Region				
Form Name	Form Number	Receipts	Denied Fraud	Denied Other
Application to Replace Permanent Resident Card	I-90	49,401	4	380
Petition for Nonimmigrant Worker	I-129	997	0	12
Petition for Alien Relative	I-130 (All)	42,601	831	6,947
Application for Travel Document - Advanced Parole	I-131 Adv/Pri	3,330	4	604
Application for Travel Document - Reentry Permit	I-131 RP/RD	12	0	1
Immigration Petition for Alien Worker	I-140	3	0	0
Application to Adjust Status (All)	I-485	79,873	1,124	19,160
Application to Extend/Change Status	I-539	1,537	22	241
Petition to Remove Conditions on Residence	I-751	648	163	1,387
Application for Employment Authorization	I-765	11,877	62	2,107
Application for Temporary Protected Status	I-821	49	6	286
Application for Naturalization	N-400	124,408	677	13,311
Application for Certificate of Citizenship	N-600 & N-643	15,169	87	1,414
All Other Forms		25,754	3,133	49,956
Totals		355,659	6,113	95,806

Western Region				
Form Name	Form Number	Receipts	Denied Fraud	Denied Other
Application to Replace Permanent Resident Card	I-90	53,734	1	1,249
Petition for Nonimmigrant Worker	I-129	689	0	6
Petition for Alien Relative	I-130 (All)	58,100	752	6,952
Application for Travel Document - Advanced Parole	I-131 Adv/Pri	6,239	3	1,188
Application for Travel Document - Reentry Permit	I-131 RP/RD	8	0	1
Immigration Petition for Alien Worker	I-140	1	1	3
Application to Adjust Status (All)	I-485	112,117	631	24,808
Application to Extend/Change Status	I-539	986	28	98
Petition to Remove Conditions on Residence	I-751	48	126	2,246
Application for Employment Authorization	I-765	30,262	601	4,187
Application for Temporary Protected Status	I-821	5	14	400
Application for Naturalization	N-400	223,792	199	33,169
Application for Certificate of Citizenship	N-600 & N-643	16,368	37	1,486
All Other Forms		28,152	2,620	81,813
Totals		530,501	5,013	157,606

(C) The quantity of backlogged immigration applications and petitions that have been processed, the aggregate number awaiting processing, and a detailed plan for eliminating the backlog:

The detailed plan for eliminating the backlog is referenced in the original July 2004 Backlog Elimination Plan, which was presented to Congress, and which is updated quarterly by this report. Adjustments to the Backlog calculation are discussed in the "Deductions to Backlog" elsewhere in this report.

(D) The average processing period for immigration applications and petitions, disaggregated by application or petition type: Current systems employed by USCIS District Offices and Service Centers are unable to produce aging reports from which average wait times or processing times can be calculated. Development of that capacity is part of the USCIS Business Transformation Program. That said, USCIS believes that cycle time (pending expressed in months of receipts) in conjunction with the first-in-first-out adjudication policy comes close to approximating average processing time. Progress in cycle times since July of 2005 is outlined in the following Section 478 Cycle Times table below.

(E) The number and types of immigration-related grievances filed with any official of the Department of Justice, and if those grievances were resolved: See Item (F).

- (F) Plans to address grievances and improve immigration services. To date, USCIS is not aware of any immigration-related grievances filed with any official of the Department of Justice (DOJ). [Pursuant to Section 452(b)(2) of the Homeland Security Act, the Citizenship and Immigration Services Ombudsman fills an important role in addressing immigration-related problems.] USCIS and DOJ coordinate routinely on various issues intended to improve immigration services.
- (G) Whether immigration-related fees were used in a manner consistent with legal requirements regarding such use. The USCIS Budget Office and the Office of Chief Counsel agree that USCIS has used immigration-related fees consistent with legal requirements regarding their use.
- (H) Whether immigration-related questions conveyed by customers to the Department (whether conveyed in person, by telephone, or by means of the Internet) were answered effectively and efficiently.

Sec. 478 Receipts and Denial Table Continued

SCs and NBC				
Form Name	Form Number	Receipts	Denied Fraud	Denied Other
Application to Replace Permanent Resident Card	I-90	701,587	41	38,817
Petition for Nonimmigrant Worker	I-129	432,344	181	57,417
Petition for Alien Relative	I-130 (All)	501,746	1,239	101,489
Application for Travel Document - Advanced Parole	I-131 Adv/Prl	210,000	149	17,461
Application for Travel Document - Reentry Permit	I-131 RP/RD	143,370	353	8,256
Immigration Petition for Alien Worker	I-140	120,075	275	22,664
Application to Adjust Status (All)	I-485	219,270	192	48,445
Application to Extend/Change Status	I-539	227,872	7	39,700
Petition to Remove Conditions on Residence	I-751	134,815	2	3,976
Application for Employment Authorization	I-765	1,237,335	2,342	193,163
Application for Temporary Protected Status	I-821	93,965	1	48,266
Application for Naturalization	N-400	0	0	0
Application for Certificate of Citizenship	N-600 & N-643	2,158	0	1,353
All Other Forms		313,344	49	55,506
Totals		4,337,881	4,831	636,513

Sec. 478 Cycle Times Table

Form Name	Form Number	July 2005	June 2006	Change
Application to Adjust Status	I-485	15.01	8.32	6.69 ↓
Application to Adjust Status (Non-Abeyance Cases)	I-485	14.86	n/a	n/a
Application to Adjust Asylee Status	I-485	58.30	30.27	28.03 ↓
Petition for Nonimmigrant Worker	I-129	1.36	1.82	0.45 ↑
Application to Extend/Change Status	I-539	2.46	2.99	0.53 ↑
Application to Replace Permanent Resident Card	I-90	2.57	2.90	0.32 ↑
Petition for Alien Relative	I-130 (All)	23.93	7.86	16.07 ↓
Petition for Alien Relative (Visa Available Only)	I-130 (V-A Only)	9.86	8.34	1.52 ↓
Application for Travel Document - Advanced Parole	I-131 Adv/Prl	2.17	2.18	0.01 ↑
Application for Travel Document - Reentry Permit	I-131 RP/RD	3.89	2.03	1.86 ↓
Immigration Petition for Alien Worker	I-140	5.93	3.30	2.63 ↓
Petition to Remove Conditions on Residence	I-751	8.79	5.18	3.62 ↓
Application for Employment Authorization	I-765	2.70	1.94	0.76 ↓
Application for Temporary Protected Status	I-821	4.02	1.62	2.40 ↓
Application for Naturalization	N-400	11.99	5.79	6.20 ↓
Application for Certificate of Citizenship	N-600 & N-643	7.05	7.28	0.23 ↑
All Forms Combined	n/a	7.33	6.22	1.10 ↓
Asylum Application	I-589	11.47	8.07	3.39 ↓
NACARA 203 Application	I-881	13.11	4.69	8.42 ↓
Credible Fear Referral	I-867	0.07	0.68	0.61 ↑

At District Offices: InfoPass, a web-based scheduling tool that was originally available at the Miami District Office was expanded nationwide during FY 2004. The tool allows customers to schedule themselves for appointments at the local office for in-person customer service (2.9 million customers in FY 2005). This alternative to waiting in line has greatly enhanced customer service and provides USCIS with a better tool to manage its resources. In addition to the national deployment of InfoPass, USCIS has nationally implemented Direct Mail for filing Form I-485, Family based Adjustment of Status; begun the national phase-in of the Form I-90, Application to Replace Permanent Resident Card Pilot; initiated

electronic filing of forms via the Internet; expanded the capture of biometrics data at Applications Support Centers; and made case status available via the web through “Case Status On Line”. These initiatives each provided increased customer service and processing efficiencies. A collateral effect of these programs has been an increased capacity at District Offices to provide in-person customer service since these were workloads previously handled by Information Officers in District Offices. As a result, USCIS has been able to increase the number of appointments available for other kinds of customer services through InfoPass.

At Telephone Centers: The telephone contact centers are an important facet of USCIS customer service efforts, providing information to over 16 million customers annually. Telephone services include:

1) a fully automated Interactive Voice Response (IVR) system, which provides 55% of all USCIS customers the information they need without talking to someone, 2) contract telephone centers that provide live assistance for inquiries of a general nature, and 3) two USCIS telephone centers staffed by Immigration Information Officers who handle more complex inquiries. USCIS call centers collect, qualify, and forward more than 66,000 inquiries monthly via the Service Request Management Tool (SRMT), an automated system which allows the service to process and track customer inquiries thereby reducing walk-in traffic to USCIS field offices. USCIS service centers and field offices research and resolve 75% of these inquiries within 30 days of the request. Customer service quality, customer satisfaction, and information accuracy are key priorities. To this end, USCIS contracts with two renowned companies for independent quality assurance reviews and customer satisfaction surveys to monitor contract and USCIS telephone service operations. Overall customer satisfaction with telephone customer services was about 82% and satisfaction with live assistance exceeded 83% during FY 2006. The customer service surveys also revealed that in FY 2006, 81% of customers were satisfied with the information provided by the USCIS Internet Website.

Sec 478 Pending and Backlog Table

Form Name	July 2005 End Pending	June 2006 End Pending	Difference	July 2005 Backlog	June 2006 Backlog	Difference
I-90	159,029	284,244	125,215	0	0	0
I-129	48,351	108,785	60,434	0	0	0
I-130	1,416,882	1,125,779	-291,103	157,771	72,047	-85,724
I-131 Adv Prl	42,198	37,630	-4,568	0	0	0
I-131 RP/RD	43,195	29,038	-14,157	11,143	0	-11,143
I-140	32,121	45,082	12,961	0	0	0
I-485 (Regular)	719,847	516,172	-203,675	392,337	99,399	-292,938
I-485 Refugee	35,649	26,100	-9,549	13,367	0	-13,367
I-485 Indo-Chinese	1,134	393	-741	673	189	-484
I-485 Asylee	193,011	109,018	-83,993	79,127	0	-79,127
I-539	50,266	57,757	7,491	0	0	0
I-751	94,666	69,844	-24,822	25,601	0	-25,601
I-765	478,023	272,285	-205,738	0	0	0
I-821	226,106	62,406	-163,700	0	0	0
N-400	610,001	486,560	-123,441	270,423	0	-270,423
N-600/N-643	35,617	38,538	2,921	4,518	5,766	1,248
I-589	119,242	69,078	-50,164	66,611	15,214	-51,398
I-881	24,812	17,783	-7,029	14,743	0	-14,743
I-867	60	287	227	0	77	77

Conclusion

Since the high point of the backlog in January 2004 of 3.85 million applications, USCIS has streamlined existing processes and procedures, leveraged existing information technology systems to assist the adjudicative process, and reenergized its workforce of nearly 15,000 men and women. What’s more important, however, is what USCIS has not done. It has not cut corners. It has not lost its focus on national security and customer service above all. It has not compromised quality or integrity in the name of production.