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GAO

Report to Congressional Requesters

May 2001

IMMIGRATION BENEFITS

Several Factors Impede Timeliness of Application Processing

GAO

Accountability * Integrity * Reliability

GAO-01-488

Contents

Letter 1

Appendix I: List of INS Applications and Petitions Processed at the Service Centers, Districts, and Application Support Centers 51

Appendix II: Description of Major INS Application and Petition Forms 53

Appendix III: INS Naturalization and Adjustment of Status Processing Flowcharts 54

Appendix IV: INS Workload Data on Major Types of Applications 60

Appendix V: Statistical Profile of INS Field Offices Visited 80

Appendix VI: INS Valuation Study Results on Pending Application Wait Times for Selected Field Offices 110

Appendix VII: Comments From the Department of Justice 113

Appendix VIII: GAO Contacts and Staff Acknowledgments 114

Tables

Table 1: Funding Sources for INS' Adjudications and Naturalization Program 10
Table 2: Onboard Adjudications Staff 11
Table 3: Applications INS Received by Application Type 13
Table 4: Applications INS Completed by Application Type 15

Table 5: Backlog of Pending Applications by Application Type 16
Table 6: INS' Production Goals for Naturalization Applications (Form N-400) 17
Table 7: INS Production Goals for Applications for Adjustment of Status (Form I-485) 19
Table 8: Valuation Study Results on Wait Times Associated With Pending Applications as of September 30, 2000 29
Table 9: California Service Center 80
Table 10: Vermont Service Center 85
Table 11: Chicago District 90
Table 12: Houston District 95
Table 13: Los Angeles District 100
Table 14: Miami District 105
Table 15: Valuation Study Results on Wait Times for Naturalization Applications (Form N-400) 110
Table 16: Valuation Study Results on Wait Times for Application for Adjustment of Status (Form I-485) 111
Table 17: Valuation Study Results on Wait Times for Application to Replace Permanent Resident Card (Form I-90) 111
Table 18: Valuation Study Results on Wait Times for Petition for Alien Relative (Form I-130) 112
Table 19: Valuation Study Results on Wait Time for Application to Extend/Change Nonimmigrant Status (Form I-539) 112

Figures

Figure 1: Officer Workyears Spent Processing Naturalization Applications (Form N-400) 18
Figure 2: Officer Workyears Spent Processing Applications for Adjustment of Status (Form I-485) 20
Figure 3: Backlog of Applications Associated With Adjustment of Status Applications (Form I-485) 21
Figure 4: Backlog of Applications for Employment Authorization (Form I-765) and Travel Document (Form I-131) 22
Figure 5: INS' Estimates of Processing Time Based on the Last 3 Months of Fiscal Years 1996-2000 25
Figure 6: Application for Naturalization (Form N-400) Flowchart 54
Figure 7: District Application for Adjustment of Status (Form-485) Flowchart for Family-Based Applications 56
Figure 8: Service Center Application for Adjustment of Status (Form I-485) Flowchart for Employment-Based Applications 58
Figure 9: Application for Naturalization (Form N-400) Workload Compared to Completions 60

Figure 10: Officer Workyears Spent Processing Applications for Naturalization (Form N-400) 61
Figure 11: Application for Adjustment of Status (Form I-485) Workload Compared to Completions 62
Figure 12: Officer Workyears Spent Processing Adjustment of Status Applications (Form I-485) 63
Figure 13: Application to Replace Permanent Residence Card (Form I-90) Workload Compared to Completions 64
Figure 14: Officer Workyears Spent Processing Applications to Replace Permanent Residence Card (Form I-90) 65
Figure 15: Petition for Nonimmigrant Worker (Form I-129) Workload Compared to Completions 66
Figure 16: Officer Workyears Spent Processing Petitions for Nonimmigrant Worker (Form I-129) 67
Figure 17: Petition for Alien Relative (Form I-130) Workload Compared to Completions 68
Figure 18: Officer Workyears Spent Processing Petitions for Alien Relative (Form I-130) 69
Figure 19: Application for Travel Document (Form I-131) Workload Compared to Completions 70
Figure 20: Officer Workyears Spent Processing Applications for Travel Document (Form I-131) 71
Figure 21: Immigrant Petition for Alien Worker (Form I-140) Workload Compared to Completions 72
Figure 22: Officer Workyears Spent Processing Immigrant Petitions for Alien Worker (Form I-140) 73
Figure 23: Petition to Extend/Change Nonimmigrant Status (Form I-539) Workload Compared to Completions 74
Figure 24: Officer Workyears Spent Processing Petitions to Extend/Change Nonimmigrant Status (Form I-539) 75
Figure 25: Petition to Remove Conditions on Residence (Form I-751) Workload Compared to Completions 76
Figure 26: Officer Workyears Spent Processing Petitions to Remove Conditions on Residence (Form I-751) 77
Figure 27: Application for Employment Authorization (Form I-765) Workload Compared to Completions 78
Figure 28: Officer Workyears Spent Processing Applications for Employment Authorization (Form I-765) 79

Abbreviations

ASC	Application Support Center
BETS	Buffalo Exams and Tracking System
CLAIMS	Computer Linked Application Information Management System
FBI	Federal Bureau of Investigation
IEFA	Immigration Examinations Fee Account
INS	Immigration and Naturalization Service
IRCA	Immigration Reform and Control Act
ISD	Immigration Services Division
LIFE	Legal Immigration and Family Equity Act
NCSC	National Customer Service Center
RNACS	Reengineered Naturalization Applications Casework System

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Accountability * Integrity * Reliability

United States General Accounting Office
Washington, DC 20548

May 4, 2001

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

The Honorable George W. Gekas
Chairman, Subcommittee on Immigration and Claims
Committee on the Judiciary
House of Representatives

The Honorable Jim Turner
House of Representatives

The Honorable Judy Biggert
House of Representatives

INS has been criticized by Congress, the media, and immigrant advocacy groups for its inability to provide immigrants with timely decisions on their applications for such benefits as naturalization and legal permanent residence. In 1996, the integrity of INS' naturalization process came under fire because in an effort to reduce a backlog in applications, INS was naturalizing aliens without first completing criminal history background checks. In response, INS implemented quality improvement measures in 1997 and 1998 to enhance and monitor the quality of its naturalization process. These efforts, however, contributed to further backlogs that reached a high of 1.8 million naturalization applications[1] by the end of fiscal year 1998. INS continues to struggle with large application backlogs and lengthy processing times. In some locations, applicants must wait 2 years or longer for INS to adjudicate applications for benefits.

You asked us to review INS' application workload, quantify the resources expended adjudicating applications, determine the factors affecting INS' ability to process applications, and identify INS actions to improve processing. This report addresses the following questions:

[1]INS receives both applications and petitions from immigrants and U.S. citizens. Immigrants submit applications to INS when they seek benefits for themselves, such as U.S. citizenship. Petitions are filed on behalf of aliens, such as when employers petition on behalf of employees or parents petition on behalf of children. For purposes of this report, the term "application" is used to refer both to applications and petitions.

1. Since 1994, to what extent have INS' adjudications budget, staffing, and workload changed?

2. Since 1994, to what extent has INS experienced backlogs in processing applications for immigration benefits?

3. How long does it take INS to process applications from the time the application is received until it is completed?

4. What factors affect INS' application backlogs and processing times, and what actions has INS taken or planned to address them?

5. What other actions has INS taken or planned to improve application processing?

Results in Brief

Although INS has experienced substantial growth in its budget and staff, it continues to have difficulty managing its application workload. INS' Adjudications and Naturalization program budget, comprised largely of fees paid by applicants, has nearly quadrupled since fiscal year 1994 to nearly $500 million. The size of its program staff has more than doubled since fiscal year 1995 to about 6,100. In fiscal year 2000, INS received nearly 50 percent more applications than in fiscal year 1994, while its application backlog increased nearly four-fold to about 3.9 million during the same time period. INS' efforts to meet production goals for processing naturalization and adjustment of status applications helped reduce backlogs in those areas, but backlogs for other application types then increased.

INS does not know how long it takes to process aliens' applications because its available servicewide automated systems contain unreliable data and its districts do not have automated systems for tracking many types of applications. A recent physical inventory of pending applications revealed that about 767,000 out of almost 3 million applicants with applications pending as of September 30, 2000, had been waiting at least 21 months for INS to process their naturalization, legal permanent residence, and other immigration-related applications. To minimize wait times for employment benefits, INS has implemented a policy that provides permission to work to aliens who are awaiting a decision on their application for adjustment of status to legal permanent residence. However, thousands of applicants who were granted employment authorization by INS are denied adjustment of status each year, meaning that they also cannot work in the United States and that their work

authorization needs to be revoked. For other application types, the uncertainty caused by lengthy processing times has reportedly disrupted many applicants' lives.

INS officials identified three factors as impeding INS' ability to reduce backlogs, improve processing times, and effectively manage its workload:

- *Automation:* INS districts lack an automated case management and tracking system for application types other than naturalization. As a result, INS cannot readily determine (1) the size and status of its pending workload; (2) application processing times; (3) the existence of processing bottlenecks; (4) how to deploy staff based on workload and backlogs; or (5) whether applications are processed in the order in which they are received.
- *Staffing:* INS officials say they need additional staff to keep up with a growing workload. However, they could not specify the types of staff needed or where they should be located because they lack a staff resource allocation model.
- *Fingerprinting:* Due to lengthy processing times, INS frequently does not adjudicate cases within the 15-month period that the results of the Federal Bureau of Investigation's (FBI) fingerprint checks for criminal history are valid. As a result, INS must incur the additional time and expense of refingerprinting the individuals and sending the fingerprints to the FBI to perform another criminal history check.

INS has taken or planned to take a number of actions to improve application processing. It created the Office of Production Management in 1998, which has established monthly production goals and accountability for field offices. INS hopes to implement a single servicewide automated case management and tracking system, and it is preparing a business plan and an information technology strategy to guide immigration benefits reengineering and information technology improvements over the next 5 to 10 years. In response to our prior recommendations, INS is developing a blueprint for all its automated system needs, and it is developing an information technology investment management process. We believe these efforts are steps in the right direction. Many of them, however, are still in planning stages, so it is too early to tell whether and to what extent they will resolve INS' application workload problems.

At the end of this letter, we make recommendations to INS regarding calculating actual application processing times; developing guidance and training for screening adjustment of status applications before issuing temporary work authorization benefits, and monitoring the quality of this

screening; developing a staffing model for processing applications; and improving its fingerprinting procedures. The Department of Justice was provided a draft of this report for comment and concurred with our recommendations.

Background

INS, through its Adjudications and Naturalization program, delivers various immigration benefits and services to aliens, including naturalizing immigrants, adjusting the status of immigrants to permanent residence, providing employment authorization, and granting asylum. INS charges aliens fees for processing their applications and deposits the fees into the Immigration Examinations Fee Account (IEFA). This account was established in 1988 to reimburse any INS appropriation for expenses incurred in providing adjudications and naturalization services. In 1990, Congress authorized INS to set adjudications and naturalization fees at a level that would ensure recovery of the full costs of providing services.[2] From fiscal year 1994 to fiscal year 1996, the Adjudications and Naturalization budget was almost entirely funded by IEFA. Beginning in fiscal year 1997 and continuing through fiscal year 2000, Adjudications and Naturalization program funding included direct appropriations,[3] in addition to IEFA funds, to reduce application caseloads.

INS carries out its service function through a network of field offices consisting of 4 service centers, 33 districts, and 75 application support centers (ASCs). (App. I contains a list of applications and petitions processed by the service centers, districts, and ASCs; and app. II contains

[2]IEFA was established by the 1989 Department of Justice Appropriation Act (P.L. 100-459 (1988)), 8 U.S.C. 1356 (m), (n). The requirement to recover the full costs of providing services was included in the 1991 Department of Justice Appropriation Act (P.L. 101-515 (1990)). IEFA funds, which account for approximately 18 percent of INS' budget, are disbursed to many programs within INS, including Inspections, Investigations, Intelligence, Construction and Engineering, Information and Records Management, and Data and Communications.

[3]For the most part, application fees deposited into IEFA cover application processing activities. In some years, direct appropriations from the INS Salaries and Expenses account are also provided for application processing. The conference reports for each fiscal year accompanying the annual Justice appropriations laws establish the spending level authority for the activities funded by IEFA. If INS anticipates a need for a change in funding authority as a result of high or lower-than-expected fee collections, then INS is to prepare a reprogramming proposal for transmittal by Justice to the Office of Management and Budget and, subsequently, to the congressional appropriations committees with jurisdiction over Justice.

a description of the major applications submitted to INS based on number received or those of special interest that are cited in the report.)

- INS' four service centers are located in California, Nebraska, Texas, and Vermont. They were created in 1990 to help reduce application backlogs in the district offices. Service centers process 35 types of applications, including petitions for permanent and temporary workers, petitions for admission of spouses, and applications for employment-based adjustment of status to permanent residence. Since February 1996, the service centers have shared responsibility with the districts for processing naturalization applications. Naturalization applications are received by the service centers and processed up to the point of interview, at which time responsibility for processing the case is shifted to the cognizant district so that the applicant can be interviewed and the case decided.
- INS' 33 districts, consisting of a district office and in many cases suboffices, are located throughout the nation. The districts process 42 types of applications, most of which require interviews with the applicant or verification of an applicant's identity. In addition to naturalization applications, districts process petitions for alien relatives and family-based adjustment of status applications, among others.
- INS' 75 application support centers are under the jurisdiction of districts and are located throughout the nation. They were established in fiscal year 1998 to serve as INS' designated fingerprint locations.[4] In June 2000, INS shifted responsibility for processing applications for renewal of permanent resident cards (i.e., green cards) from the districts to ASCs.[5]

INS' application processing procedures vary by application type and by office. In general, the following tasks are involved in processing an application: (1) collect and deposit the application fee and issue a receipt to the alien; (2) create an alien file, or request an existing alien file; (3) enter data on the applicant into an automated system (if available); (4) take applicant's fingerprints and send them to the FBI for a criminal history check (if needed); (5) review the application, and other supporting documents, such as FBI fingerprint check results, marriage certificate, or

[4] To accommodate the minority of cases in which applicants would have to travel more than 100 miles to an ASC, INS also established fingerprint operations in 52 district offices and suboffices, developed agreements with approximately 40 law enforcement agencies, and established 44 mobile routes with 82 service points.

[5] In 1989, INS set a 10-year limit on the validity of alien permanent resident cards. They began to expire in fiscal year 2000.

court disposition of an arrest; (6) interview the applicant (if needed); (7) administer naturalization test (if needed); (8) approve or deny the case; (9) notify applicant of INS' decision; and (10) update INS' automated systems (if available). (App. III contains flowcharts depicting INS' process for adjudicating naturalization and adjustment of status applications.)

While INS processes about 50 different types of immigration applications, two types—naturalization and adjustment of status applications accounted for more than 46 percent of INS' application backlog in fiscal year 2000. The number of these applications increased dramatically during the 1990s due, in part, to two pieces of legislation. First, under the Immigration Reform and Control Act (IRCA) of 1986, INS created a program to legalize the status of certain illegal aliens who had resided in the United States continuously since January 1, 1982.[6] As a result, nearly 3 million illegal immigrants became legal permanent residents,[7] and by February 1995, they were eligible to apply for citizenship. Second, under Section 245(i) of the Immigration and Nationality Act, certain illegal aliens residing in the United States (e.g., non-immigrants with expired visas) were allowed to adjust their status to legal permanent residence without returning overseas.[8] This provision, which was enacted in 1994, resulted in a surge of adjustment of status applications during fiscal years 1995 through 1997.[9] (Statistics on the number of applications received by INS in each of fiscal years 1994 through 2000 are provided in table 3 on p. 13.)

To address the surge in naturalization applications, in August 1995 INS launched the Citizenship USA (CUSA) initiative. INS had projected that without a serious effort to reduce the backlog of naturalization applications, by the summer of 1996 an eligible applicant would have to wait 3 years to be naturalized as a U.S. citizen. The stated goal of CUSA

[6]P.L. 99-603, 8 USC 1324a et seq.

[7]These illegal immigrants were first "legalized" and granted temporary legal residence status. After 18-30 months as temporary legal residents, they were able to apply for permanent legal residence.

[8]1995 Department of Justice Appropriation Act (P. L. 103-317 (1994)).

[9]The 1994 provision was amended by the 1998 Department of Justice Appropriation Act (P.L. 105-119 (1997)), to provide that only aliens who were beneficiaries of an immigration petition or labor certification application on or before Jan. 14, 1998, would be eligible for adjustment under 245(i). The Legal Immigration and Family Equity Act (P.L. 106-553), enacted on Dec. 21, 2000, extended the Jan. 14, 1998, date to Apr. 30, 2001.) Section 245(i), as amended, is codified at 8 U.S.C. 1255i.

was to reduce the naturalization application backlog to the point where eligible applicants would be naturalized within 6 months of their submitting naturalization applications. The CUSA initiative was found to be fraught with quality and integrity problems that resulted in ineligible applicants receiving citizenship. According to a recent Department of Justice report,[10] INS made the timely completion of naturalization cases its guiding principle during its citizenship initiative at the expense of accuracy and integrity in the determination of eligibility. In response to the problems that arose, INS implemented naturalization quality procedures in November 1996, which were designed to achieve consistent and complete processing through revised fingerprint check procedures, the use of work sheets and standardized documentation for each file, enhanced supervisory review, and a standardized quality assurance program.

In 1997, INS established the Office of Naturalization Operations, now named the Immigration Services Division (ISD). The role of the office is to help restore integrity and credibility to naturalization processing procedures, and to reduce naturalization backlogs. The office contracted with PricewaterhouseCoopers for a plan to reengineer the naturalization process and, in September 1997, the contractor issued its proposed plan, which INS is in the process of implementing. Improvements that have been made include performing a complete file review of cases before applicants are scheduled for interviews, developing a National Customer Service Center with a 1-800 phone line for information, and creating and distributing a "Guide to Naturalization" for use by applicants.

Objectives, Scope, and Methodology

As agreed with your offices, this report addresses the following: (1) Since 1994, to what extent have INS' adjudications budget, staffing, and workload changed? (2) Since 1994, to what extent has INS experienced backlogs in processing aliens' applications for immigration benefits? (3) How long does it take INS to process applications from the time the application is received until it is completed? (4) What factors affect INS' application backlogs and processing times, and what actions has INS taken or planned to address them? and (5) What other actions has INS taken or planned to improve application processing?

[10] *An Investigation of the Immigration and Naturalization Service's Citizenship USA Initiative* (Office of Inspector General, U.S. Department of Justice, July 31, 2000).

To address our first two reporting questions—the extent to which INS' budget, staffing, and workload have changed and the extent which INS has experienced backlogs—we analyzed INS budget and staffing data, including data on INS' contracts supporting adjudications activities. We also analyzed workload data from INS' Performance Analysis System, which is INS' primary system for recording the size of its workload. We interviewed INS field and headquarters staff regarding the collection and analysis of the workload data. We also reviewed Inspector General reports regarding the reliability of INS workload data and held discussions with Justice Inspector General staff regarding their reports. Questions have been raised about the reliability of INS' data on applications received, completed, and pending. However, INS officials maintain that they are the only data currently available and are useful for discerning trends in application workload. We rounded the numbers to the nearest thousand when presenting workload data in order to reduce the impression that the data are precise.

To answer question 3, regarding how long it takes INS to process applications, we reviewed the methods INS has used to estimate and report processing times. We interviewed field and headquarters staff about how these data were being collected, monitored, and disseminated. We reviewed and analyzed INS' application inventory valuation study, which estimated the age of INS' pending workload for selected types of applications as of September 30, 2000. We also interviewed representatives of community-based organizations to obtain information about their experiences with INS and how INS' processing delays have impacted their clients. In this review, we focused on the amount of time that elapsed between INS receiving and completing the processing of an application, not on the amount of staff time expended by INS to process individual applications.

To address the last two questions—factors that affect INS' application backlogs and processing times and actions that INS has taken or planned to improve application processing—we interviewed INS officials in headquarters, as well as in six field offices—the California Service Center in Laguna Niguel; the Vermont Service Center in St. Albans; and district offices in Los Angeles, Chicago, Miami, and Houston. We chose these locations because they were identified as offices handling a large volume of applications and backlogs. Together, these two service centers and four districts accounted for 47 percent of all applications received by INS in fiscal year 2000. We reviewed planning documents, including reports regarding improvements to INS processes. In this review, we focused on

application backlogs and processing times and did not conduct analyses of the integrity of INS' processing efforts.

We conducted our work from February 2000 through March 2001 in accordance with generally accepted government auditing standards. We requested comments on a draft of this report from the Attorney General. The INS Executive Associate Commissioner for Field Operations provided written comments, which are summarized at the end of this letter and reproduced in appendix VII.

INS' Adjudications and Naturalization Program Budget and Staffing Have Substantially Increased

INS' Adjudications and Naturalization program budget, funded primarily by fees, has increased significantly since fiscal year 1994. The largest increase occurred in fiscal year 1996, when INS hired over 900 temporary officer and support staff to reduce application backlogs. Staffing data for each of the six field offices that we visited are presented in appendix V.

INS' Adjudications and Naturalization program budget almost quadrupled from $129 million in fiscal year 1994 to $496 million in fiscal year 2000. As shown in table 1, the majority of funding has been from fees INS charged applicants for processing their applications and deposited into the IEFA. Beginning in fiscal year 1997, INS' IEFA funds were supplemented with direct appropriations. For fiscal years 1997 and 1998, INS received appropriated funds to support backlog reduction and improve the integrity of the naturalization process. For fiscal years 1999 and 2000, these appropriated funds were generally used to reduce application backlogs.[11]

[11]According to INS officials, INS used the appropriated funds to hire officers in temporary positions; to contract for clerical support in districts, service centers, and application support centers; to contract for studies to reengineer the application process; to fund staff overtime; and to expand the National Customer Service Center, among other things.

Table 1: Funding Sources for INS' Adjudications and Naturalization Program

Dollars in thousands

	Fiscal year							
Funding source	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000 enacted**	**2001 appropriated**
IEFA funds	$126,313	$168,523	$276,272	$302,663	$360,992	$363,871	$407,605	$457,362
Other fee accounts[a]	2,885	2,652	1,163	1,182	1,031	754	1,125	1,125
Appropriated funds	[b]	[b]	[b]	5,916[c]	16,687[c]	75,788[c]	86,896[d]	41,621[e]
Total	**$129,198**	**$171,175**	**$277,435**	**$309,761**	**$378,710**	**$440,413**	**$495,626**	**$500,108**

[a]Includes Legalization, H1-B, and other immigration fee account funds.

[b]The Adjudications and Naturalization program did not receive direct appropriations these years.

[c]According to an INS official, INS received these funds to reduce application backlogs and improve the integrity of the naturalization process. These funds were used to fund staff overtime, fund contracts for clerical staff, and reengineer the naturalization process.

[d]The total amount of direct appropriated funding was $176 million in fiscal year 1999 and $124.2 million in fiscal year 2000. According to INS officials, these funds were used to hire temporary officers to reduce application backlogs, to expand the National Customer Service Center, to conduct a fingerprint verification project, to fund staff overtime, and to upgrade computer systems, among other things.

[e]According to an INS official, $35 million is being used to fund contracts for clerical support in INS' service centers, and about $6 million is being used for the maintenance and repair of digital fingerprinting machines used by ASCs.

Source: GAO analysis of INS data.

Overall, the total number of onboard program staff more than doubled between fiscal years 1995 and 2000.[12] As shown in table 2, the number of adjudications officers increased 78 percent (from 1,277 to 2,278 officers) and INS support staff increased by 60 percent (from 1,037 to 1,664 clerks). The overwhelming majority of the growth in INS staff occurred in fiscal year 1996. Between fiscal years 1996 and 2000, the number of contractor support staff for the Adjudications and Naturalization program increased by 86 percent (from 1,158 to 2,154 clerks).

[12]INS officials did not have detailed servicewide staffing data available before fiscal year 1995 because staffing was managed at the field office level. The exact growth in program staff cannot be determined because INS did not have records on the number of contractor staff who provided clerical support services prior to fiscal year 1996.

Table 2: Onboard Adjudications Staff

	INS adjudications officers[b]			INS support staff[c]			Contractor support staff	Grand
Fiscal year[a]	Permanent	Temporary[d]	Total	Permanent	Temporary[e]	Total	Total	total
1995	1,273	4	1,277	847	190	1,037	[f]	2,314
1996	1,419	497	1,916	971	736	1,707	1,158	4,781
1997	1,436	442	1,878	981	701	1,682	1,340	4,900
1998	1,692	408	2,100	1,049	633	1,682	1,584	5,366
1999	1,788	522	2,310	1,161	495	1,656	2,110	6,076
2000	1,954	324	2,278	1,124	540	1,664	2,154	6,096

Note: Staff onboard as of the end of each fiscal year.

[a]Detailed staffing data were not available for fiscal year 1994.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes applications clerks, office automation clerks, secretaries, and clerk typists

[d]Includes term appointments (up to 4 years) and rehired annuitants.

[e]Includes term appointments (up to 4 years), rehired annuitants, and temporary appointments (up to 2 years).

[f]INS did not have contractor support staffing data available for fiscal year 1995.

Source: GAO analysis of INS data.

Table 2 also shows the growth in the number of adjudications officers and INS clerical support staff in both permanent and temporary positions. The number of officers in permanent positions increased 53 percent (from 1,273 to 1,954 officers) between fiscal years 1995 and 2000. The number of officers and INS support staff in temporary positions grew primarily in fiscal year 1996 due to additional funding to process application backlogs. Of about 6,100 program staff who were onboard in fiscal year 2000, about half were in temporary or contractor positions.

INS officials told us that by using temporary adjudications staff, INS can more easily reassign temporary positions from one field office to another based on application processing needs. In addition to the INS support staff, INS contracted for clerical support for its service centers beginning in fiscal year 1996, and for its districts beginning in fiscal year 1998. At the end of fiscal year 2000, INS had 341 contract clerical support staff in the districts and 1,813 in service centers. Contract clerical personnel were to support the processing of naturalization and adjustment of status applications. Clerical support staff duties included data entry, scheduling appointments for applicants, file operations, courier services, and naturalization ceremony support. In fiscal year 2000, INS spent almost $64

million for contracts to provide clerical services in their service centers and districts.

INS' Adjudications and Naturalization Workload Has Varied, But Exact Size and Nature of Workload Are Not Known

Although there were year-to-year variations in INS' workload—that is, the number of applications of different types that INS received and completed—INS' workload in fiscal year 2000 was generally larger than in 1994. An exception was new naturalization applications, which were fewer in fiscal year 2000 than in fiscal year 1994. However, INS completed more naturalization applications in fiscal year 2000 than in 5 of the previous 6 years.

The size and nature of INS' application workload are not known exactly because INS' workload data are not accurate. The Justice Inspector General has reported that INS' Adjudications and Naturalization workload data contain errors, are inadequately monitored, and cannot be audited because they cannot be traced back to individual applications. INS officials with whom we spoke acknowledged that INS' workload data are not precise, but they maintained that they are useful for understanding workload trends. Therefore, the workload figures presented in this section should be used with caution and have been rounded to the nearest thousand to reflect their lack of precision. (Workload data for each of the six field offices that we visited are presented in app. V.)

Annual Number of Applications Received by INS Has Varied Over Time

Between fiscal years 1994 to 2000, the total number of applications received by INS increased by about 50 percent to more than 6 million, as shown in table 3. Generally, from fiscal years 1994 to 1997, most types of applications submitted increased steadily. Naturalization applications peaked at about 1.4 million in fiscal year 1997, then declined substantially each subsequent year to about 461,000 in fiscal year 2000. The number of naturalization applications that INS received in fiscal year 2000 was about 15 percent less than in fiscal year 1994 and about 67 percent less than the high of 1.4 million in fiscal year 1997. Adjustment of status applications peaked at about 760,000 in fiscal year 1997, declined in fiscal years 1998 and 1999, and again increased in fiscal year 2000. Receipts of most other types of applications were greater in fiscal year 2000 than in fiscal year 1994.

For example, employment authorization applications (form I-765) doubled between fiscal year 1994 and 2000, and accounted for nearly one-fourth of the total number of applications that INS received in fiscal year 2000. As discussed on page 21 and 22, lengthy adjustment of status processing

times can contribute to the number of employment authorization applications that aliens submit to INS. This can occur because INS provides employment authorization for 1 year but may take longer than a year to adjudicate an adjustment of status application, prompting the alien to submit a new application for employment authorization.

Table 3: Applications INS Received by Application Type

In thousands

Type of application	Fiscal year						
	1994	1995	1996	1997	1998	1999	2000
Application for naturalization (N-400)	543	960	1,277	1,413	933	765	461
Application for adjustment of status (I-485)	317	578	647	760	527	456	562
Application to replace permanent resident card (I-90)	544	461	409	321	336	360	705
Petition for nonimmigrant worker (I-129)	303	273	274	312	383	502	721
Petition for alien relative (I-130)	663	630	709	886	743	466	598
Application for travel document (I-131)	281	283	335	385	453	449	522
Immigrant petition for alien worker (I-140)	47	52	61	69	68	79	96
Application to extend or change nonimmigrant status (I-539)	227	203	213	239	262	380	393
Petition to remove conditions on residence (I-751)	110	118	120	103	131	117	112
Application for employment authorization (I-765)	707	865	953	1,161	1,212	1,357	1,451
All other application types	394	458	450	630	516	467	437
Total[a]	**4,138**	**4,879**	**5,447**	**6,277**	**5,563**	**5,399**	**6,059**

[a]Sum of columns may not equal totals due to rounding.

Source: INS Performance Analysis System.

According to INS officials and community-based organization representatives with whom we spoke, the increase in naturalization applications between fiscal years 1994 and 1997 was due, in part, to three factors. First, approximately 3 million aliens who had been granted amnesty through the Immigration Reform and Control Act of 1986 were eligible to apply for naturalization by February 1995. Second, INS instituted a requirement that by March 1996, permanent resident aliens had to replace their existing alien registration card with another card with increased security features. Since the cost difference between the replacement card and the naturalization application was small, many aliens may have decided at that time to apply for naturalization. Third, a number of congressional proposals and a California ballot proposition making certain governmental health, welfare, and educational benefits contingent on U.S. citizenship may have provided an incentive to aliens to apply for naturalization.

Some community-based organization representatives expressed the view that the decline in the number of new naturalization applications since fiscal year 1997 may have been due to publicity about the long waiting periods aliens faced before INS adjudicated their applications. In addition, INS raised the fee for naturalization applications in January 1999 and for most other application types in October 1998, and this may have discouraged potential applicants from applying.

Annual Number of Applications Completed by INS Has Varied Over Time

The total number of applications INS completed (approved and denied) has varied by type, but overall, increased from about 3.9 million in fiscal year 1994 to nearly 6.5 million in fiscal year 2000.[13] (See table 4.) The number of completed naturalization applications almost tripled from about 444,000 in fiscal year 1994 to a high of slightly over 1.3 million in fiscal year 1996, when INS' efforts to reduce backlogs through its CUSA initiative were underway. As INS began its quality improvement measures to address identified weaknesses in CUSA, completions declined to about 713,000 and 611,000 in fiscal years 1997 and 1998, respectively. Then, as it renewed its efforts to reduce its naturalization backlogs, INS more than doubled the number of completed applications in fiscal years 1999 and 2000, completing nearly 1.3 million applications in each of those years. INS completed more naturalization applications in fiscal year 2000 than in 5 of the previous 6 years.

INS completed greater numbers of adjustment of status applications in fiscal years 1995 and 1996 relative to 1994 as seen in table 4. For the following 3 years, however, INS completed increasingly fewer applications. In fiscal year 1999, INS completed about 300,000 adjustment of status applications, fewer than in any prior year since fiscal year 1994. In fiscal year 2000, INS made the processing of these applications a priority and nearly doubled its completion level, reaching a 7-year high of more than 560,000 completed applications.

[13]INS officials told us that the time it takes to complete applications varies because some types are more complex than others. For example, an application to replace a permanent resident card (form I-90) is relatively simple, while an application to adjust to permanent residence status (form I-485) is more complex.

Table 4: Applications INS Completed by Application Type

In thousands

Type of application	Fiscal year 1994	1995	1996	1997	1998	1999	2000
Application for naturalization (N-400)	444	506	1,334	713	611	1,252	1,298
Application for adjustment of status (I-485)	342	358	542	478	416	300	564
Application to replace permanent resident card (I-90)	443	543	487	260	146	259	718
Petition for nonimmigrant worker (I-129)	319	273	300	327	385	527	698
Petition for alien relative (I-130)	619	629	758	764	593	450	383
Application for travel document (I-131)	264	283	331	356	507	398	468
Immigrant petition for alien worker (I-140)	52	55	64	69	54	59	98
Application to extend or change nonimmigrant status (I-539)	249	212	235	234	227	307	383
Petition to remove conditions on residence (I-751)	106	107	123	106	96	99	96
Application for employment authorization (I-765)	680	847	939	1,106	1,228	1,258	1,392
All other application types	393	452	433	541	429	310	388
Total[a]	**3,912**	**4,265**	**5,547**	**4,954**	**4,693**	**5,219**	**6,487**

[a]Sum of columns may not equal totals due to rounding.

Source: INS Performance Analysis System.

Naturalization Backlogs Have Declined While Most Others Have Increased

INS' total application backlog (pending applications) increased from about 1 million in fiscal year 1994 to almost 4 million in fiscal years 1998 through 2000. (See table 5.) INS' naturalization backlog more than doubled during the same period. Since fiscal year 1998, however, the naturalization backlog declined by more than half—from about 1.8 million pending applications in fiscal year 1998 to about 817,000 in fiscal year 2000. As was the case with INS' data on applications received and completed, INS' backlog figures may be more useful for discerning trends than as precise measures of workload at a given point in time.

As shown in table 5, the backlog of naturalization applications declined in fiscal year 1999 and again in fiscal year 2000, whereas the backlog of adjustment of status applications and most other types of applications continued to increase.

Table 5: Backlog of Pending Applications by Application Type

In thousands

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	314	705	684	1,440	1,803	1,356	817
Application for adjustment of status (I-485)	121	321	435	699	809	951	1,001
Application to replace permanent resident card (I-90)	200	174	44	48	168	170	239
Petition for nonimmigrant worker (I-129)	12	21	16	24	49	43	77
Petition for alien relative (I-130)	182	231	242	407	554	593	797
Application for travel document (I-131)	28	28	34	78	42	73	102
Immigrant petition for alien worker (I-140)	7	6	7	8	20	43	48
Application to extend or change nonimmigrant status (I-539)	17	31	17	32	75	176	178
Petition to remove conditions on residence (I-751)	23	28	27	35	68	76	99
Application for employment authorization (I-765)	44	70	77	135	115	186	256
All other application types	40	52	69	144	189	305	276
Total[a]	**987**	**1,668**	**1,652**	**3,051**	**3,891**	**3,973**	**3,892**

Note: Number of applications pending at the end of each fiscal year. According to an INS official, the total number of pending applications is the sum of applications received (see table 3), plus applications reopened, plus adjustments made as a result of audits, minus applications completed for the fiscal year (see table 4).

[a]Sum of columns may not equal totals due to rounding.

Source: INS Performance Analysis System.

As a short-term solution to reduce its application backlogs, INS allocated additional staff resources to process naturalization applications by reassigning staff and using overtime. INS also set an annual production goal for completing cases for the first time in fiscal year 1999. As shown in table 6, INS' fiscal year 1999 and 2000 goals, respectively, were 1.2 and 1.3 million completed naturalization applications. INS met its goal in both years. As shown in table 5, the number of pending naturalization applications decreased from a high of about 1.8 million at the end of fiscal year 1998 to about 817,000 at the end of fiscal year 2000. INS officials told us that they are also planning to reengineer their processes to achieve long-term solutions to managing their workload. These efforts are discussed on p. 47.

Table 6: INS' Production Goals for Naturalization Applications (Form N-400)

In thousands

Fiscal year	Production goal	Applications completed	Result
1999	1,200	1,252	Met goal
2000	1,300	1,298	Met goal
2001[a]	800		

[a]According to INS officials, the possibility of INS achieving its fiscal year 2001 production goal was contingent upon an assessment of the impact of the Legal Immigration and Family Equity Act (LIFE), enacted on Dec. 21, 2000, on INS' workload. The LIFE Act extends the eligibility date from Jan.14, 1998, to April 30, 2001, for applicants to apply for adjustment of status to legal permanent residence without returning overseas. INS may revise this goal–originally proposed in October 2000–later in fiscal year 2001.

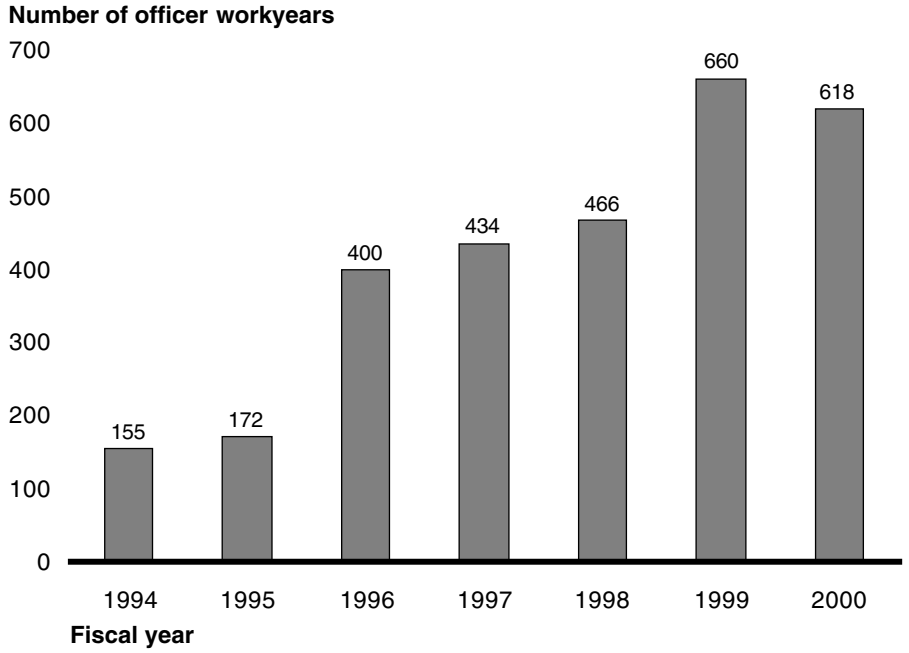
Source: INS Office of Production Management.

The number of adjudications officer workyears spent processing naturalization applications has increased in most years since fiscal year 1994.[14] In order to meet the production goals it set for itself in fiscal years 1999 and 2000, INS devoted about 660 and 618 adjudications officer workyears, respectively, to processing naturalization applications.[15] Figure 1 shows the officer workyears spent processing naturalization applications during each of fiscal years 1994 though 2000.

[14]There is not always a direct relationship between the number of INS officer workyears spent processing naturalization applications and the number of completed applications (see table 4) on a year to year basis. An INS official told us that the number of officer hours could increase, while the number of completions could decrease, due to changes in naturalization application processes (e.g., naturalization quality procedures, fingerprinting procedures) and training newly hired staff.

[15]INS does not maintain data on the number of officers or clerical staff assigned to process various types of applications. In order to make an approximation of the amount of staff devoted to processing naturalization applications, we analyzed hours recorded by officers in INS' Performance Analysis System. Clerical hours could not be analyzed because contractor clerical hours are not recorded by type of application processed.

Figure 1: Officer Workyears Spent Processing Naturalization Applications (Form N-400)



Note: Data include adjudications officers' overtime but not the time they spent on administrative activities (e.g., training or leave). According to INS officials, data do not always include the time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS did not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

During the 2 years that INS was concentrating on meeting naturalization production goals, the backlog of adjustment of status applications increased from about 809,000 at the end of fiscal year 1998 to slightly over 1 million in fiscal year 2000. Although INS also experienced increases in adjustment of status application backlogs in fiscal years 1995 through 1997, these increases were attributed to other factors. INS officials cited changes to section 245(i) of the Immigration and Nationality Act (see p. 6 for further discussion) as a major reason for the adjustment of status application backlog in the years before INS' naturalization initiatives. INS set production goals for adjustment of status applications beginning in fiscal year 1999. As shown in table 7, INS' goal was 361,000 in fiscal year 1999 and 500,000 in fiscal year 2000. INS fell short of the fiscal year 1999 goal by about 60,000 applications because, according to INS officials, it

was still giving priority to completing naturalization applications. INS did meet its fiscal year 2000 production goal.

Table 7: INS Production Goals for Applications for Adjustment of Status (Form I-485)

In thousands

Fiscal year	Production goal	Applications completed	Result
1999	361	300	Did not meet goal
2000	500	564	Met goal
2001[a]	800		

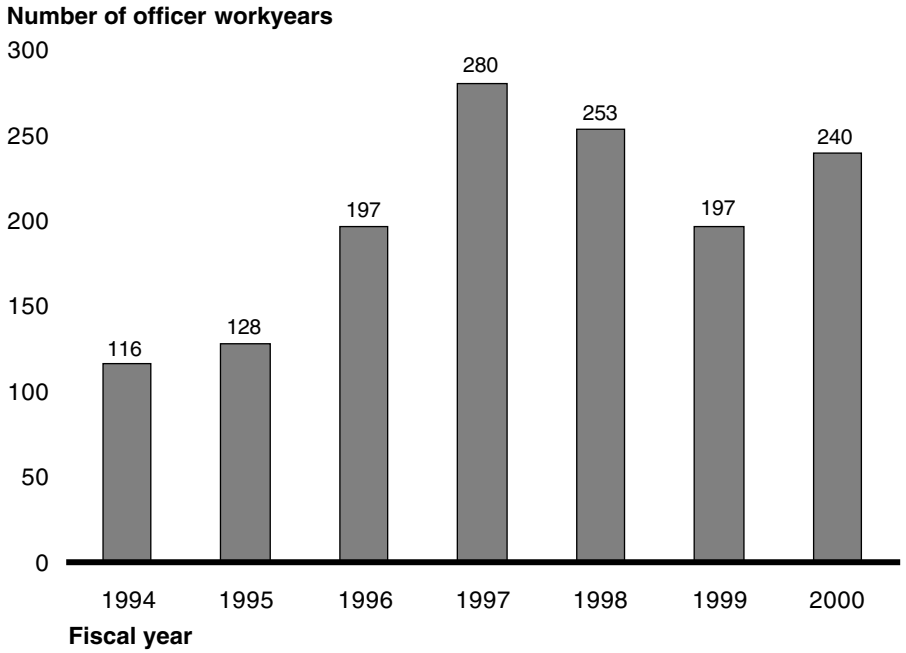
[a]According to INS officials, the possibility of INS achieving its fiscal year 2001 production goal was contingent upon an assessment of the impact of the Legal Immigration and Family Equity Act (passed on Dec. 21, 2000) on INS' workload. The LIFE Act extends the eligibility date from Jan. 14, 1998, to April 30, 2001, for applicants to apply for adjustment of status to legal permanent residence without returning overseas. INS may revise this goal–originally proposed in October 2000–later in fiscal year 2001.

Source: INS Office of Production Management.

As shown in figure 2, the number of workyears INS adjudications officers spent processing adjustment of status applications varied between fiscal years 1994 and 2000.[16] In fiscal year 2000, INS devoted 240 officer workyears to processing these applications, more than twice the 116 workyears spent in fiscal year 1994. Adjudications officer time spent processing adjustment of status applications peaked at 280 workyears in fiscal year 1997. INS increased its officer workyears by 22 percent in fiscal year 2000—from 197 workyears in fiscal year 1999 to 240 workyears in fiscal year 2000.

[16]There is not always a direct relationship between the number of INS officer workyears spent processing adjustment of status applications and the number of completed applications (see table 4) on a year to year basis. An INS official told us that the number of officer hours could increase, while the number of completions could decrease, due to changes in adjustment of status application processes (e.g., new application requirements and fingerprinting procedures).

Figure 2: Officer Workyears Spent Processing Applications for Adjustment of Status (Form I-485)



Note: Data include adjudications officers' overtime but not the time they spent on administrative activities (e.g., training or leave). According to INS officials, data do not always include the time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS did not consistently collect these data.

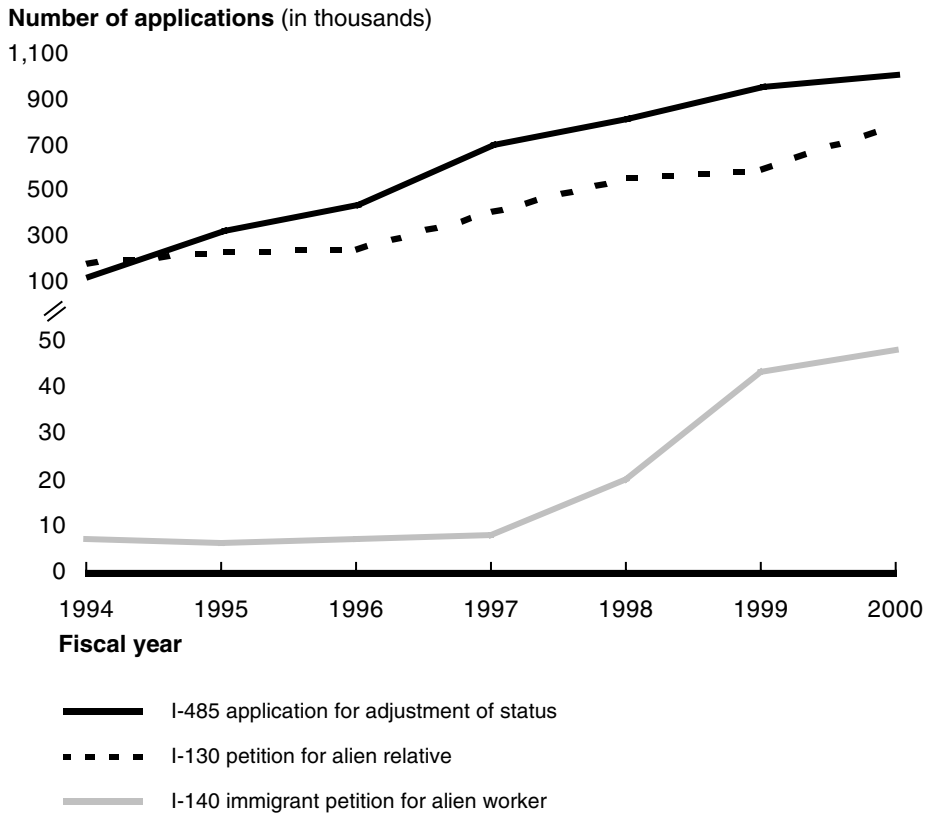
Source: GAO analysis of INS Performance Analysis System data.

The growth in the backlog of adjustment of status applications was associated with a growth in the backlog of some other application types. For adjustment of status applications based on employment, an employer must file a petition for an alien worker (form I-140) before the alien files an adjustment of status application. In addition, a relative may file a petition for alien relative (form I-130) at the same time that the alien applies for adjustment of status (form I-485).[17] INS officials expect that as INS reduces the backlog of adjustment of status applications, these related

[17]To apply for adjustment of status to permanent residence, an alien must have a relative petition for them. If the alien is already physically present in the United States, then the petition by a relative is filed with INS. If the alien is overseas, then the petition is filed with the U.S. consulate.

application backlogs should also decrease. Figure 3 shows how the backlogs of these three types of associated applications have changed for fiscal years 1994 through 2000.

Figure 3: Backlog of Applications Associated With Adjustment of Status Applications (Form I-485)

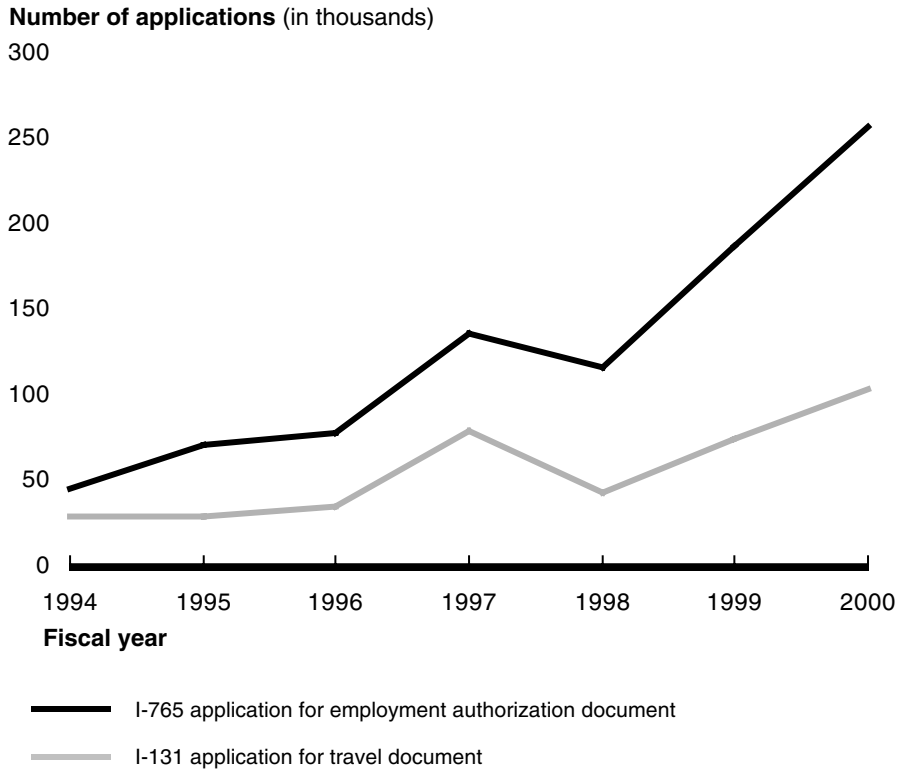


Source: GAO analysis of INS Performance Analysis System data.

An alien may also submit an application for an employment authorization document (form I-765) if the alien wants to work while the adjustment of status to permanent residence application (form I-485) is pending, or for a travel document (form I-131) if the alien wants to travel outside the U.S. while the application is pending. Backlogs for these types of applications have also increased. INS officials told us that the length of time aliens have to wait for INS to make a decision on their adjustment of status applications has a direct impact on the number of applications that they submit for employment authorization documents and travel documents.

This is because employment and travel documents are valid for limited periods of time. For example, if INS takes more than 24 months to complete an adjustment of status application, an alien may have to apply for employment authorization 3 times during the waiting period, since the employment authorization is only valid for a period of 1 year.

Figure 4: Backlog of Applications for Employment Authorization (Form I-765) and Travel Document (Form I-131)



Source: GAO analysis of INS' Performance Analysis System data.

While INS worked on the backlogs for naturalization and adjustment of status applications, backlogs for other application types increased. For example, the backlog for application to extend/change nonimmigrant status (form I-539) increased 10-fold from 17,000 pending applications in fiscal year 1994 to over 178,000 in fiscal year 2000. INS officials told us that many aliens are left in the difficult situation of not hearing from INS regarding their applications to extend their stays at the time they are

required to leave the U.S.[18](For statistical data on several types of applications, see app. IV.)

For fiscal year 2001, INS established two additional production goals for applications related to naturalization. INS set production goals of 66,000 for the application for certification of citizenship (form N-600) and 24,000 for the replacement of naturalization/citizenship document (form N-565). INS officials stated that they set these goals as part of their overall management approach in setting more comprehensive production management goals. At the end of fiscal year 2000, the N-600 applications had a backlog of 85,000 and the N-565 had a backlog of 29,000.

Actual Processing Times Are Not Known, but Age of Pending Workload Indicates Lengthy Wait Times for Applicants

INS does not know how much time elapses between receiving applications and the completion of application processing because it does not systematically record and analyze such data. In lieu of actual processing time, INS uses a method to estimate processing time, but the usefulness and reliability of the estimates are limited. INS field offices also estimate the age of applications that are currently being processed as another indicator of application processing time, but this can provide misleading information. A recent INS study revealed that large numbers of naturalization and other types of applications were still pending more than 21 months after INS received them.

INS has implemented a policy of minimizing adjustment of status applicants' wait times for employment benefits. However, each year thousands of applicants are denied adjustment of status requiring that their employment authorization be revoked. Because of the lengthy processing times for other application types, applicants' lives have been disrupted while waiting for INS to complete processing their applications.

Actual Processing Times Not Known

Information on actual processing times is not available because, according to INS' Immigration Services Division director,[19] the agency's automated application data are incomplete and unreliable. The ISD director told us

[18]INS officials told us that an alien must file his application to extend his nonimmigrant status when he is still in a legal status, and generally, the alien would not have to depart until they heard from INS regarding the decision on the form I-539.

[19]In this report, we refer to INS' Deputy Executive Associate Commissioner of the Immigration Services Division as the ISD director.

that although INS' automated systems contain data that could be used to calculate actual processing times, INS has chosen not to do so because these data are incomplete and unreliable. In addition, INS' districts lack an automated case management and tracking system for most applications other than naturalization, making it impossible to measure processing times in the districts.[20] The ISD director told us that INS is beginning to examine how to develop a reporting capability for CLAIMS 3 and that this reporting capability would include calculating actual processing times for adjustment of status and other applications processed by the service centers. In addition, he told us that INS is considering how to use CLAIMS 4 to calculate actual processing times now that it is almost fully deployed to all service centers and districts.

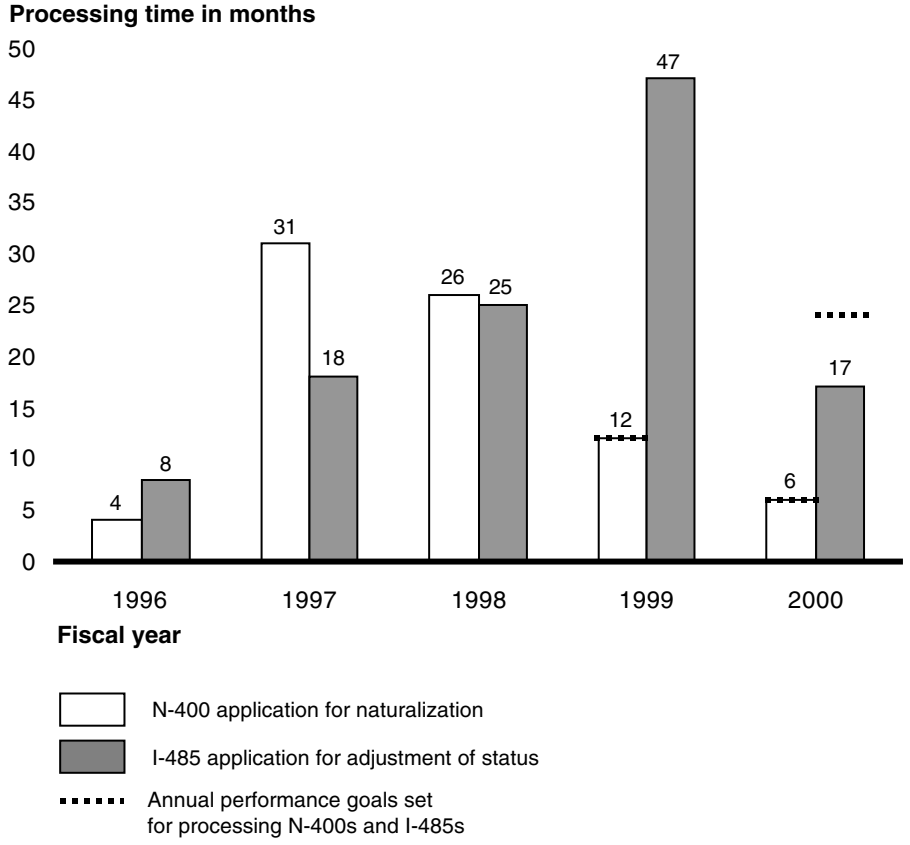
INS Estimates Processing Time, but Usefulness Is Limited

In the absence of information on actual processing times, INS has been estimating processing time by computing the ratio of pending to completed applications. INS uses the estimates to project future processing time for incoming applications and to assess its annual performance. However, fluctuations in INS' workload and problems with the reliability of its data limit the usefulness of its processing time estimates.

INS has been providing Congress with monthly reports on processing times for naturalization and adjustment of status applications since 1995. Figure 5 shows INS' estimates of application processing times for fiscal years 1996 through 2000. INS calculated these numbers by dividing the number of applications pending on the last day of the fiscal year by the average monthly number of applications completed during the last 3 months of the fiscal year. Processing time estimates for each of the six field offices that we visited are presented in appendix V.

[20]The problems with INS' automated case management and tracking systems, the lack of automated systems in the districts, and INS' efforts to improve its automated systems are discussed in detail in the automation section beginning on p. 33.

Figure 5: INS' Estimates of Processing Time Based on the Last 3 Months of Fiscal Years 1996-2000



Note: INS established processing time performance goals for applications for naturalization (N-400) in fiscal years 1999 and 2000, and for adjustment of status (I-485) in fiscal year 2000.

Source: GAO analysis of INS data.

For assessing annual performance, INS uses its end-of-fiscal year estimates of processing time. For example, based on the number of applications that were pending and completed at the end of fiscal year 2000, INS estimated that as of September 30, 2000, it was taking 6 months to process naturalization applications and 17 months to process adjustment of status applications. Since INS had set processing time goals of 6 months and 24 months, respectively, for processing naturalization and adjustment of status applications during fiscal year 2000, INS determined that it had met or exceeded its goals for the year.

The usefulness of INS' estimates is limited by two major factors. First, the estimates of projected processing time fluctuate in relation to the number of applications INS receives and completes, which in turn is a function of both available resources and productivity during that time. If any of these variables change, then INS' prior performance will not accurately predict its future performance. For example, at the end of September 2000, INS was estimating that its processing time for naturalization applications was 6 months. By the end of December 2000, however, the estimated processing time had increased to 13 months. According to an INS official, this occurred because at the end of fiscal year 2000, INS was dedicating its resources to meeting its production goal of completing 1.3 million naturalization applications, and once the goals were met, INS redirected some resources to processing other types of applications.

Second, the usefulness of INS' processing time estimate is limited by the lack of reliable data on the number of pending applications. As evidence of the reliability problems with its data on pending workload, INS had to revise its projected time for processing naturalization applications as of the end of fiscal year 1999. INS' inventory of pending naturalization applications as of September 30, 1999, revealed that the actual number of pending naturalization cases was about 160,000 higher than the number reflected in INS' workload data, according to the ISD director. As a result, INS recalculated the projected processing time to be 12 months as of September 30, 1999. The original figure had been 9 months.

According to the ISD director, INS recognizes that its method for projecting processing times does not provide an accurate picture of how long applicants must wait for INS to process applications, and he would prefer to report actual processing times. He reiterated that INS is starting to look into using CLAIMS 3 and CLAIMS 4 to calculate actual processing times.

Processing Time Indicators Have Limitations

To reduce the number of customer inquiries and improve service, INS field offices use another indicator to provide information to the public about how long they can expect to wait for their applications to be adjudicated. Specifically, service centers inform applicants of the initial receipt date of cases that are being reviewed for the first time, while the districts inform applicants of the age of the cases that are being interviewed for the first time. This information is conveyed to applicants who visit an INS field office, or inquire about their case by telephoning the National Customer

Service Center (NCSC).[21] In general, the information disseminated by the field offices and NCSC is understated because cases that are continued for additional evidence (e.g., because supporting documents are missing) tend to take longer than cases that are approved or denied when being reviewed for the first time, and continued cases are not considered when the offices calculate the age of their pending cases. In addition, the field office's determination of the age of its pending cases is not based on a statistical sample. Therefore, it can only be used as a guide for INS staff to manage case inquiries.

Officials from the community-based organizations that we contacted consistently stated that information provided by INS field offices was often incorrect and misleading. For instance, according to one official, officers in an INS district had told applicants that, based on the age of their pending cases, the applicants would receive their alien registration card in about 90 days in one case and 6 months in another. After 6 months had passed, the applicants had not received an alien registration card and returned to the district office, only to be told that it would take another 3 months to process their applications due to backlogs. (App. V contains information on the age of the cases that the six field offices we visited reported having processed as of September 2000.)

Recent INS Study Revealed Long Wait Times for Many Applicants

As part of its servicewide physical inventory of pending applications, INS conducted a valuation study to determine the dollar value of fees associated with pending applications that would be reported as deferred revenue in INS' financial statements.[22] Depending on the date the application was filed, INS assigned a dollar value to these applications based on whether the applications were filed before or after the most recent fee change. This study, therefore, also provides useful information on the age of INS' pending applications, and how long applicants had been waiting for INS to process their applications. The study found that for five types of applications that were pending as of September 30, 2000, an

[21]Applicants can call NCSC's 1-800 phone line to obtain general processing time information on particular types of applications. In certain cases, NCSC staff will refer the case to the responsible district for follow-up and response.

[22]Deferred revenue represents the fees submitted by applicants for benefits where the applications had not been fully processed by INS. The sample population consisted of pending applications of five types in 35 INS field offices that comprised approximately 95 percent of the servicewide pending applications according to a July 14, 2000, inventory. The study was designed to enable INS to estimate—within a 5-percent margin of error—the number of pending applications that had been submitted under the former fee structure.

estimated 767,000 applications had been filed at least 21 months previously. That is, of the approximately 3 million applications pending among the five types of applications studied, over one-fourth of the applicants had waited at least 21 month for INS to decide their cases.

Among naturalization applicants whose applications were pending, the study found that 41 percent, or about 335,000 applicants, had been waiting at least 21 months for INS to decide their case. In the Los Angeles and New York districts, 59 percent and 92 percent of naturalization applicants, respectively, had been waiting at least 21 months for an INS decision. At the four service centers, the percentage waiting at least 21 months ranged between 9 percent and 30 percent. Among adjustment of status applicants, about one-fourth, or slightly over 250,000 applicants, had been waiting at least 24 months for an INS decision. In the Los Angeles and New York districts, 39 percent and 48 percent of adjustment of status applicants, respectively, had been waiting at least 24 months for an INS decision. At INS' four service centers, the percentage waiting at least 24 months ranged between 2 percent and 28 percent. Since the cases in the valuation study were still pending as of September 2000, the total wait time for applicants will be even longer than revealed by the study. Table 8 provides the results of the valuation study for the five types of applications sampled. (App. VI provides the valuation study results for each service center, district, and region included in INS' study.)

Table 8: Valuation Study Results on Wait Times Associated With Pending Applications as of September 30, 2000

Type of Application	Total number pending[a]	Number sampled	Percentage submitted before fee change[b]	Number submitted before fee change	Minimum wait time[c]
Application for naturalization (N-400)	817,728	7,634	41	335,268	21 months
Application for adjustment of status (I-485)	1,000,669	9,670	25	250,167	24 months
Application to replace permanent resident card (I-90)	238,299	1,527	4	9,532	24 months
Petition for alien relative (I-130)	789,292	6,310	18	142,073	24 months
Application to extend/change nonimmigrant status (I-539)	102,332	944	1	1,023	24 months
Total	**2,948,320**	**26,085**	**26**	**766,563**	**21 months**

[a]These are the final numbers of pending applications as of September 30, 2000, as counted during INS' servicewide inventory conducted in October 2000. They differ from the backlog numbers in table 5 because the data in table 5 reflect the inventory count data adjusted by the INS field offices to allow for differences in the ways cases were counted for inventory and workload reporting purposes. For example, the inventory results were adjusted because they did not include any applications or petitions reopened on motion or appeal. For inventory purposes, these cases were not counted, but they are counted for workload purposes. For the I-539, the difference was about 76,000 due in part to the fact that each I-539 was counted as one in the inventory. For workload purposes, multiple beneficiaries listed on one I-539 form are counted as separate cases.

[b]The fee change for the application for naturalization took effect on January 15, 1999, while all the other application fee changes became effective on October 13, 1998.

[c]The figures in this column represent the time that elapsed between the effective date of the new fees and September 30, 2000. We refer to it as a minimum wait time because the only information on the age of these applications is that they were filed before the effective date of the fee change and were still pending on September 30, 2000.

Source: GAO analysis of INS data.

INS Grants Work Authorization to Many Adjustment of Status Applicants Whose Work Authorization Is Later Revoked

INS issues employment authorization documents to applicants before it adjudicates their applications for adjustment of status. INS does this in accordance with an INS policy that, according to the ISD director, is intended to prevent aliens from having to wait for INS to adjudicate their adjustment of status applications before they can work. INS' goal is to provide employment authorization to adjustment of status applicants as quickly as possible and no later than 90 days after receipt of the employment application.[23] Prior to issuing the employment authorization

[23]INS generally complies with its own requirement to issue an employment authorization document within 90 days of receiving an adjustment of status application. This requirement is included in 8 C.F.R. 274 a.13. If INS fails to issue an employment authorization card within 90 days, the applicant is entitled to be issued an interim authorization valid for up to 240 days to be used until INS issues the employment authorization document (8 C.F.R. 274 a.13).

document, INS is to screen the adjustment of status application for basic eligibility. If INS accepts the adjustment of status application, the applicant is granted employment authorization for one year. INS' initial decision on whether to grant employment authorization to adjustment of status applicants is based on a brief screening of the application to determine if the applicant meets basic eligibility requirements. According to field office officials, this screening consists of an application clerk checking the application to ensure that it is complete, that an underlying petition based on a family or business relationship is pending or was approved by INS, and if needed, that a visa number is available.[24] The screening does not include criminal background checks. Field officials told us that application clerks have had some difficulty determining if visa numbers were available and, in some cases, have accepted applications that should have been rejected.

INS does not have agencywide quality controls to ensure that the screening of adjustment of status applications is done properly. INS recently issued guidance on the screening process for its service centers, but guidance and training have not been developed for its districts. INS also does not have a process for monitoring the quality of this screening to ensure that it is performed consistently and correctly.

In cases where INS denies adjustment of status to applicants, their employment authorization document is to be automatically revoked. INS field officials told us that they send letters to denied adjustment of status applicants informing them that INS is revoking their employment authorization document and instructing them to return the document to INS. According to district officials, the districts routinely collect the employment authorization document at the time of the interview if the case is denied at that time. This does not occur at service centers because personal interviews with applicants do not occur at service centers. INS officials acknowledged that many aliens fail to return the employment authorization document. INS did not have data on the reasons why adjustment of status cases were denied, but possible reasons for denials included fraudulent applications, insufficient evidence, no valid underlying

[24]With the exception of asylum applicants, all other applicants for adjustment of status must be sponsored by a qualifying family member or employer. The family member or employer is to submit a petition to INS on behalf of the applicant, and the applicant must receive a visa number from the Department of State if INS approves the underlying petition. There are annual limits on the total visa numbers issued.

visa petition, disqualifying criminal history, or failure to submit the correct fee.

INS also did not have data on the number of employment authorizations they revoked after the applicant was denied adjustment of status. In fiscal year 2000, however, INS completed adjudicating 564,000 adjustment of status applications and denied about 80,000, or 14 percent, of them. According to INS officials, INS had most likely granted employment authorization to most of the denied applicants and this authorization should have been revoked. Field office officials told us that many of the 80,000 denied applicants may have received employment benefits for 18 months or more before their employment authorization was revoked. While waiting for adjustment of status applications to be decided, aliens could have developed a work history that may have facilitated their obtaining employment even after INS' efforts to revoke the work authorization. Although IRCA requires that aliens provide employers with proper documentation evidencing eligibility to work in the United States, the Commission on Immigration Reform and GAO, among others, have issued reports discussing problems with the existing system for verifying work authorization.

The ISD director told us that employment authorization documents are issued before adjustment of status applications are adjudicated by INS because it is important that deserving applicants be allowed to work as soon as possible. He told us that it is a policy decision that is designed to be fair to the majority of adjustment of status applicants who are approved by INS, and it enjoys wide support in the immigration community. He said that INS has not focused on obtaining custody of revoked employment authorization documents because of INS' competing priorities. He noted that many of these documents were close to expiration at the time they were revoked.

Lengthy Processing Times Have Negatively Impacted Aliens and INS

Long wait times have reportedly impacted applicants' lives, prompted lawsuits, increased INS' workload, and taken resources away from application processing. According to a recent study by the Catholic Legal Immigration Network,[25] some families have had to endure long separations because of INS' lengthy processing times and have filed lawsuits in an attempt to expedite adjudication of their applications. For instance, an

[25] *Placing Immigrants at Risk: The Impact of Our Laws and Policies on American Families* (Catholic Legal Immigration Network, 2000).

applicant, who was a spouse of an U.S. citizen, filed an application for permanent residence in 1997. More than 22 months later, INS still had not decided the case and the applicant's temporary permit to remain in the United States had expired. The applicant filed a lawsuit in August 1999 in an effort to expedite the case. In addition, a class action lawsuit was filed by the American Immigration Law Foundation[26] and other organizations in August 2000, alleging that INS is placing thousands of relatives of permanent residents and U.S. citizens at risk of deportation because it is not promptly processing applications for voluntary departure and employment authorization filed under the statutory Family Unity Program. The attorneys representing the plaintiffs claim that their clients face deportation, lost jobs, or could not find work because of the long processing delays at INS. Officials from the community-based organizations we contacted also told us that the primary complaint they heard from immigrants was that INS took too long to process applications.

According to an INS official, the long processing times for adjustment of status cases have produced additional work for INS officers and additional effort and expense for applicants. This is because applicants may apply for employment or travel authorization during the time that their adjustment of status applications are pending. Because INS provides employment authorization documents that are valid for 1 year, applicants who must wait for longer periods of time to adjust their status to permanent residence face the need to renew their employment authorization and must pay another application processing fee. Applicants who may need to travel outside the United States while their adjustment of status applications are pending must apply for travel authorization and pay a fee. If INS had adjudicated adjustment of status applications in a timely fashion, then applicants would not have to expend additional time and money renewing their employment authorization or applying for travel authorization, and INS would not have additional workload.

According to INS officials, INS has also experienced an increase in public inquiries on pending cases due to lengthy processing times. INS has had to shift resources to respond to public inquiries on pending cases at the cost of processing cases, further increasing the time it takes to process

[26]This lawsuit, *Escutia v. Reno*, was filed in U.S. District Court for the Central District of California on August 24, 2000. An attorney for the plaintiffs told us on February 20, 2001, that the parties were engaged in settlement discussions.

applications. Data on the volume of inquiries on pending cases were not available from INS.

Inadequate Automation, Staff Shortages, and Fingerprint Problems Cited as Impeding Application Processing

INS officials identified three factors as having negatively affected INS' ability to improve application processing times and reduce backlogs. The most significant factor cited was inadequate automation, in general, and lack of automation in the districts, in particular. The officials also indicated that a shortage of adjudications staff and fingerprint problems have caused delays in application processing. However, the most significant problem—lack of and inadequate automation—will take years to resolve.

Automation for Processing Applications Has Been Lacking or Inadequate

Automation problems were cited by both INS field office and headquarters staff as the number one factor affecting INS' ability to process applications in a timely manner and reduce backlogs. District offices, which completed about 45 percent of all applications completed by INS in fiscal year 2000, process most applications manually because they do not have an automated case management and tracking system for processing most types of applications. The key systems that INS has in place for application processing have limitations and other performance problems that have reduced their usefulness. INS has taken action to improve the reliability of its existing automated systems, and it is preparing a business plan and an information technology strategy to guide its process reengineering and information technology improvement efforts.

Multiple Automated Systems Are Used for Case Processing

To support its application processing, INS uses three primary automated systems: the Computer-Linked Application Information Management System 4.0 (CLAIMS 4), the Reengineered Naturalization Applications Casework System (RNACS), and the Computer-Linked Application Information Management System 3.0 (CLAIMS 3).

- CLAIMS 4, INS' newest and most advanced case management and tracking system, is the key system for helping process incoming naturalization applications. INS deployed CLAIMS 4 to the service centers in fiscal year 1998 and subsequently phased it in at the districts. INS intends to add four

naturalization-related applications[27] to CLAIMS 4 by the end of fiscal year 2002.

- RNACS is used to process naturalization applications that were submitted to INS before CLAIMS 4 was fully deployed. It is also used to process four naturalization-related applications. INS officials expect that RNACS will be completely phased out by the end of fiscal year 2002.
- CLAIMS 3 is used to process applications other than naturalization applications at the 4 service centers and 2 districts—Baltimore and St. Paul.

Districts Lack Servicewide Case Management and Tracking System for Processing Most Application Types

INS has not provided its districts with a servicewide automated case management and tracking system for the majority of applications they process. Instead, most applications are processed manually.[28] Because they lack automated systems for key application types, districts also do not have a database that could be used for workload management and staff deployment. District officials told us that they must keep manual tallies of applications completed, and they cannot determine the number of pending cases except by subtracting the number of completed cases from the number received. They said that because they cannot accurately determine the age and status of their pending workload, it is difficult for them to identify problem areas or bottlenecks, establish processing priorities among application types, deploy staff based on workload and backlogs, and ensure that cases are processed in the order received. They also said that it is resource-intensive for them to respond to applicants' inquiries on case status without an automated system. Inquiries require staff to expend time manually locating and reviewing case files, taking time away from application processing.

[27]The applications that will be transferred from RNACS to CLAIMS 4 include (1) application for replacement naturalization/citizenship document (form N-565), (2) request for hearing on a decision in naturalization proceedings (form N-336), (3) application for certification of citizenship (form N-600), and (4) application for citizenship on behalf of an adopted child (form N-643).

[28]Districts have the CLAIMS 4 and RNACS systems to help them process naturalization and naturalization-related applications. These applications constituted 47 percent of applications completed by district offices in fiscal year 2000. The remaining 53 percent of the district application workload is processed manually, or by using locally developed stand-alone systems. According to INS officials, many districts use the stand-alone Buffalo Examinations and Tracking System to support processing of adjustment of status applications. This system was used in the four districts we visited to record identification information on the applicant and to print fingerprint appointment, interview, and other notices to the applicant. This locally developed system was not used to manage and track cases, provide statistics on cases completed, or determine the age and status of the pending workload.

The ISD director acknowledged that this is a major problem for the districts, particularly with regard to the need for automated support to process adjustment of status cases. He told us that this issue will be addressed as part of the business plan and the information technology strategy being developed by INS. The business plan is being prepared to guide all INS' application processing reengineering efforts during the next 5 to 10 years. Concurrent with this plan, INS is also preparing an information technology strategy to guide its automation improvements. A contract for both these plans was awarded in March 2001. The business plan and implementation timeline are due by the end of June 2001, and the information technology strategy and timeline are due by the end of August 2001. Since these plans were still being developed, the details and estimated implementation costs were not yet available.

CLAIMS 3 System Has Reliability Problems and Limited Capability

INS' CLAIMS 3, the key system used by service centers to support processing of all applications other than naturalization, is reportedly unreliable and lacks management reporting capability.

According to INS officials, CLAIMS 3 cannot be relied on because it (1) is an antiquated system that is frequently nonoperational, and (2) does not always update and store important case data when INS field offices transfer data from the local CLAIMS 3 system to INS' mainframe computer. Problems with the reliability of CLAIMS 3 data on pending cases was cited as a primary reason why INS undertook a time-consuming and costly 100-percent physical inventory of all pending applications in September 2000, as discussed on page 38.

Service center officials told us that CLAIMS 3 is a good tool for individual case management, but is not a good tool for managing workload because it does not provide reports to help managers identify problem areas or bottlenecks, establish processing priorities, ensure that applications are processed in the order received, and deploy staff. According to the Benefits Systems Director, a widely known example of a reporting problem with CLAIMS 3 was its inability to accurately count the number of H-lB petitions approved in fiscal year 1999. As a result, INS exceeded the numerical limitations set by Congress for H-1B visas.[29] The ISD director told us that CLAIMS 3 has not produced management reports since July

[29]The H-1B program allows employers to temporarily fill certain specialty occupations with foreign workers if employers can ensure that American workers are not adversely affected in the process. In each of the fiscal years 1999 and 2000, the maximum number of H-1B visas that could be granted was 115,000.

1994, when its management reporting function failed and could not be fixed. He also said that CLAIMS 3 is operating far beyond its design capacity, and this has led to frequent breakdowns. He said that INS hopes to replace CLAIMS 3, but will continue to use it for several more years before it will be replaced. In addition, INS is beginning to examine how to provide management reporting capability from CLAIMS 3.

INS has launched two efforts to improve the performance of CLAIMS 3. In fiscal year 2000 INS launched a project to resolve the capacity and breakdown problems with CLAIMS 3 and improve its reliability by (1) upgrading service center software and standardizing file servers used for data storage; and (2) upgrading and standardizing service center technology infrastructure, such as workstations, high-speed printers, and desktop printers. INS estimates that these actions will be completed by the end of fiscal year 2001 at a cost of about $12.4 million. In addition, INS awarded a contract in January 2001 for an effort to ensure that data are properly transferred from the CLAIMS 3 local area network in the field offices to the CLAIMS mainframe, and to develop a methodology for cleaning up the existing incomplete and unreliable data in CLAIMS 3. This effort is due to be completed by June 2001 at a cost of $163,500. At that point, the field offices will be responsible for implementing the methodology and cleaning up the existing CLAIMS 3 data. No timeframes had yet been established for the field office cleanup efforts.

CLAIMS 4 Deployed Prematurely and Without Reporting Capability

CLAIMS 4, INS' case management and tracking system for naturalization cases, was deployed prematurely as part of INS' response to problems with the integrity of the naturalization process that surfaced during CUSA. According to the ISD director, INS began to deploy CLAIMS 4 in October 1997 before it had met its baseline functional (user) requirements and without sufficient testing. As a result, INS had to continue developing baseline functionality for CLAIMS 4 while it was already deployed.

District and service center officials were critical of CLAIMS 4, saying that it initially hindered productivity. For example, they said that field offices were not able until June 2000 to correct simple data entry errors in CLAIMS 4. If field office staff inadvertently keyed in the wrong information on how a case was decided or whether an individual had attended an oath ceremony, they would have to submit a request for assistance to a CLAIMS 4 "help desk" at INS headquarters. It sometimes took several months to correct data entry errors because the help desk had more work than it could handle. While field offices waited for the data entry errors to be fixed, they could only proceed with processing the affected cases manually. An ongoing CLAIMS 4 problem cited by service center staff is

that CLAIMS 4 cannot schedule a second fingerprint appointment when fingerprints are unclassifiable or the FBI fingerprint check results have expired. Therefore, a scheduling procedure that should be automated must be handled manually, slowing the process and consuming personnel resources.

The ISD director acknowledged that CLAIMS 4 had many performance problems when it was first deployed, but emphasized that it has been considerably improved during the last 3 years. INS estimates that it will have expended about $41 million to develop, deploy, and maintain CLAIMS 4 from July 1996 through March 31, 2001. Both headquarters and field office officials said that CLAIMS 4 has now improved to the point where it is aiding, rather than hampering, production.

In late fiscal year 2000, INS began working with a contractor to develop a module for CLAIMS 4 that would generate standardized management reports on the age and status of naturalization cases. According to the Benefits Systems director, the major obstacle to developing reporting modules is that using CLAIMS 4 to run reports interferes with its ability to support application processing. INS is exploring ways to generate CLAIMS 4 management reports without slowing down the system (e.g., by purchasing an additional server). INS has not yet established a time-frame or cost estimate for developing and deploying the CLAIMS 4 reporting module.

INS had intended to make CLAIMS 4 its single servicewide automated case tracking system for all application types. According to the ISD director, INS remains committed to implementing one automated system and is currently reviewing how best to do so. He stated that any further investments in INS' existing or new automated systems for processing applications will occur after INS completes two agencywide initiatives. Both are being undertaken in response to our recommendations. In a report issued in August 2000, we recommended that INS develop an enterprise architecture to help it effectively and efficiently invest in new and existing information systems.[30] In a report issued in December 2000, we recommended that INS develop a plan, within 9 months, for

[30] *Information Technology: INS Needs to Better Manage the Development of Its Enterprise Architecture* (GAO/AIMD-00-212, Aug. 1, 2000). An enterprise architecture is an information system blueprint that defines in both business and technology terms the organization's current and target operating environments and provides a roadmap for moving between the two.

implementing an information technology investment management process.[31] We further stated that there should be no major enhancements of existing systems until INS implements our recommendations. We recommended that requests for future appropriations for information technology should be limited to efforts that are small, represent low technical risk, and support ongoing operations and maintenance. An INS official estimated that the enterprise architecture would be developed by the end of December 2001, and its information technology investment management process would be developed and provided to the Department of Justice for approval by the end of May 2001.

INS Data Deficiencies Led to Time-Consuming Inventory of All Pending Applications

INS undertook a 100-percent physical inventory (manual count) of all applications that were pending as of September 30, 2000, because the automated data systems did not contain sufficiently reliable data for INS to obtain an unqualified opinion on its fiscal year 1999 financial statements. This inventory was also needed, according to the ISD director, because automated data were not available for most applications processed by the districts. To carry out the inventory, INS suspended most case processing for 2 to 3 weeks.

As part of its fiscal year 1999 financial audit, INS' financial statement auditors tested the pending data in CLAIMS 3 and CLAIMS 4 and found that they were unreliable. According to the financial statement auditors, the pending data in CLAIMS 3 were unreliable because some data did not upload from the CLAIMS 3 local area network in the field offices centers to the CLAIMS mainframe, making INS' database on pending cases incomplete and inaccurate. The primary reliability problem with the pending data in CLAIMS 4 was that many naturalization cases started by the service centers and completed by the districts had not been closed out in CLAIMS 4.

Due to the data reliability problems, INS performed a 100-percent physical inventory of pending cases to try to obtain an unqualified opinion on its

[31] *Information Technology: INS Needs to Strengthen Its Investment Management Capability* (GAO-01-146, Dec. 29, 2000).

fiscal year 2000 financial statements.[32] According to senior INS officials, the costs of the fiscal year 2000 inventory were very high in terms of lost production and staff time because INS had to suspend almost all application processing for 2 to 3 weeks in order to conduct the inventory. According to the financial statement auditors, INS will have to continue to conduct a full 100-percent physical inventory each year until it can obtain reliable data on pending cases from its automated systems. INS was already planning to conduct another 100-percent physical inventory at the end of fiscal year 2001.

Staff Shortages Cited as Slowing Application Processing, but Staffing Needs Are Unknown

Despite the doubling of program staff since fiscal year 1995, officials in INS headquarters and field offices told us that they needed additional staff to stay current with their application workload. However, they did not know how many additional staff they needed, where the staff should be located, and what types of skills the staff should have. The officials told us that this determination would be difficult because INS does not currently have standardized workflow processes for most applications and because the districts have limited automation. They said that field offices have differing staff needs because their work processes differ. The ISD director told us that INS is waiting for the development of reengineered procedures that will standardize the workflow process for each application type before it develops a staff resource allocation model to determine precise staffing needs.

Officials from all the field offices we visited cited a need for more clerical staff, immigration information officers, and computer support staff. Officials from three of the four field offices also cited the need for more adjudications officers. They stated that the shortage of clerical staff and information officers (who could help adjudicate simple cases and provide a more prompt response to applicants' inquiries about their cases) leads to inefficient use of adjudications officers. This is because the higher paid officers must spend more of their time doing such tasks as searching for

[32]For fiscal year 2000, INS' auditors reported that INS was able to perform an accurate count of pending applications and adequately support the deferred revenue balance as of September 30, 2000. However, the auditors were not able to extend the scope of their work to verify the number of pending applications at the beginning of the fiscal year. As a result, the auditors qualified their opinion on INS' statements of net cost and changes in net position and on its combined statements of budgetary resources and financing for fiscal year 2000. INS did receive an unqualified opinion on its balance sheet and statement of custodial activity.

files and answering routine questions, rather than conducting interviews and adjudicating applications.

To help overcome staff shortages, INS headquarters and field officials told us, INS has relied on overtime funds since fiscal year 1994. The amount of overtime funds increased dramatically from $1.8 million in fiscal year 1994 to $5.5 million in fiscal year 1995, and to $12.9 million in fiscal year 1996.[33] INS officials told us that these increases reflected INS' efforts to reduce application backlogs. Since fiscal year 1997, INS overtime funds have stayed between $11 and $17 million. (App. V includes data on overtime costs for the 6 field offices visited.)

INS headquarters officials expressed the view that field office Adjudications and Naturalization program staff shortages are due to (1) high turnover of temporary staff, especially adjudications officers, and (2) an insufficient number of permanent staff positions. In March 1999, INS reported that the attrition rate of temporary adjudications officers was generally more than double that of permanent officers working in the same districts. For example, in the New York City office, the attrition rate among temporary officers was 35 percent compared to 16 percent among permanent officers. In the Los Angeles office, the attrition rate among temporary officers was 28 percent compared to 9 percent among permanent officers.

In response, Congress gave INS the authority in fiscal year 1999 to convert 50 percent (300 of 600) of its temporary district adjudications officer positions to permanent positions. In fiscal year 2001, INS had plans to hire 50 additional contract clerical staff and to redeploy 87 clerical and 103 adjudications officer positions from 8 districts to 14 other districts that have a greater need based on workload and current staffing.

INS has not performed a systematic analysis of its staffing needs to determine the number of additional staff needed, where they should be located, or what type of staff are needed to assist with application processing. INS headquarters officials told us that this would be difficult to do because INS' field offices differed in their workflow processes and their automation capabilities. They said that after INS reengineers its application processes, INS would develop a staff allocation model to

[33]According to INS officials, they do not track the number of overtime hours worked by officers, clerical, and contractor staffs who use these overtime funds.

efficiently distribute the right kind and number of staff to the right locations.

Expired Fingerprint Results Are Problematic, but INS Has Made Progress Resolving Several Problems With Fingerprinting

INS continues to experience processing delays associated with FBI fingerprint check results, which expire after 15 months. However, INS has made progress in resolving long-standing problems with the quality and integrity of its fingerprinting process and missing fingerprints and fingerprint check results.

Expiration of Fingerprint Check Results Delay Application Processing and Result in Additional Costs to INS

The results of fingerprint checks conducted by the FBI to determine if applicants have criminal backgrounds that make them ineligible for immigration benefits are valid for 15 months. The expiration of the results of FBI fingerprint checks continue to cause processing delays at INS because a large portion of INS' application backlog has been pending for well over a year. INS' valuation study (discussed on p. 27) found that as of October 2000, about 335,000 naturalization applications and about 250,000 adjustment of status applications had been pending for at least 21 months. The majority of these applicants' fingerprint results would have expired because INS' practice was to fingerprint applicants shortly after the application was received. Fingerprint result expirations have been particularly problematic for adjustment of status cases, according to field office and headquarters officials. This is because the number of adjustment of status cases completed in fiscal year 1999 decreased as a result of INS' focus on reducing naturalization backlogs, and the projected processing times grew to 47 months.

If fingerprint check results expire, INS refingerprints the applicant and submits the fingerprints to the FBI to conduct another criminal background check for the individual. Field office officials estimated that this adds about 4 to 8 weeks to case processing time. In addition to delaying case processing, expired fingerprint check results inconvenience applicants who must go to an ASC to be fingerprinted a second time and cause INS to incur the additional costs of retaking the fingerprints and paying the FBI to analyze them. The fingerprints must be retaken because neither INS nor the FBI retain them for future use. INS did not have data on the total number of fingerprint check expirations and the additional funds expended by INS to refingerprint applicants. However, fingerprint expirations can be costly to INS. INS estimated that it costs about $48 for INS to take and process fingerprints. In addition, according to an INS official, INS must pay the FBI $16 to perform each fingerprint check.

Although fingerprint costs are included in the fees charged to applicants, INS bears the cost of refingerprinting aliens if it does not adjudicate the case within 15 months and the fingerprint results expire. At an estimated cost of $64 per person, INS may have incurred about $37 million in additional costs to refingerprint over 585,000 naturalization and adjustment of status applicants whose applications had been pending for at least 21 months as of October 2000.

INS officials told us that the problem of fingerprint check expirations lessened in fiscal year 2000 because INS gave adjustment of status cases priority and field offices did a better job of managing fingerprint scheduling for adjustment of status cases. Since April 1999, the field offices have been instructed to better manage the scheduling of fingerprinting to minimize the number of fingerprint expirations. Field office officials told us that they have responded by scheduling fingerprint appointments for adjustment of status applicants closer to the estimated interview date rather than shortly after the application is received to avoid fingerprint expirations.

Progress Made in Resolving Problems With Fingerprinting Quality and Missing Fingerprints and Fingerprint Check Results

INS has made progress in resolving several problems that it had previously experienced with fingerprinting. For example, as we recommended in 1994,[34] INS implemented a policy in November 1996 requiring that the agency obtain the results of FBI fingerprint checks before deciding a case. This policy helps INS ensure that it does not provide immigration benefits to individuals who have disqualifying criminal backgrounds. In fiscal year 1997, according to a senior INS official, INS implemented an automated tracking system to help ensure that fingerprints were sent to and results received from the FBI. In fiscal year 1998, INS established application support centers to provide greater control over the fingerprint process. The quality of fingerprints taken and fingerprint processing times have also improved.

A problem with missing fingerprints and fingerprint check results that began in 1997 was resolved by the end of 2000, according to INS officials. The problem, according to INS officials, was associated with a new system employed by the FBI involving machine readable data tapes. Under this system, FBI required its participating agencies to submit both fingerprint cards and a tape identifying the applicant, and the FBI recorded the

[34] *INS Fingerprinting of Aliens: Efforts to Ensure Authenticity of Aliens' Fingerprints* (GAO/GGD-95-40, Dec. 22, 1994).

fingerprint check results on the tape and returned it to the agency. According to INS officials, tapes and fingerprint cards frequently disappeared or were damaged during shipment or the tapes were missing some fingerprint check results. INS data indicate that from June 1999 through March 2000, INS resent 228,356 fingerprints to the FBI because INS had not received FBI responses for them. In many of these cases, according to a senior INS official, INS had to take new fingerprints from the applicant because the fingerprint card could not be found or had already been destroyed by the FBI, and INS incurred the additional costs of retaking the fingerprints and paying for the FBI analysis.

Beginning in November 1999, the FBI replaced the tape system with the one currently in use: the Integrated Automated Fingerprint Information System. This system involves electronic submission of fingerprints to the FBI and electronic transmission of the FBI fingerprint results to the requesting agency. Both field office and headquarters officials indicated that the new system, based on its performance in fiscal year 2000, seems to have corrected the problem of missing FBI fingerprint results. Most FBI responses are received within 24 hours of submission, including electronic rap sheets on persons identified as having an arrest record. INS' performance measure for fiscal year 2000 was to reduce the average amount of time between fingerprinting the alien and receiving the FBI results from 3 weeks to 1 week. With implementation of the new system, the processing time was reduced to 1 day in the final quarter of fiscal year 2000.

INS is considering exploring whether to electronically store fingerprints, according to the ISD director. Storage of electronic fingerprints would avert the need to retake fingerprints should the FBI results expire. Stored fingerprints would also allow INS to avoid the time and cost of retaking fingerprints for the same applicant applying for subsequent immigration benefits, such as adjustment of status applicants who become eligible to apply for citizenship.

Other Actions Taken or Planned to Improve Application Processing

In addition to actions taken by INS in response to specific identified problems—such as hiring temporary staff to address staff shortages and changing the point in the application process that fingerprints are taken in order to reduce the incidence of expired results—INS has taken or is considering other actions to better manage application processing. These actions, which we believe are steps in the right direction, include (1) launching production management initiatives to reduce application backlogs; (2) establishing a National Records Center to consolidate storage and expedite retrieval of alien files; and (3) reengineering the

processes used to adjudicate adjustment of status and seven other applications.

Production Management Efforts Intended to Reduce Backlogs and Improve Timeliness

INS created an Office of Production Management[35] to direct and oversee INS' backlog reduction efforts. The efforts of this office have included guiding and monitoring the application production activities of field offices, establishing teams to reduce the processing time of continued cases, and focusing processing efforts on the oldest pending naturalization—those filed prior to July 1, 1998.

Efforts to Reduce Backlogs of Naturalization and Adjustment of Status Cases

In fiscal year 1998, INS created the Office of Production Management within the Immigration Services Division to lead its efforts to reduce naturalization backlogs. This office was responsible for directing and monitoring field office backlog reduction efforts, evaluating and directing resources, providing analytical services, and ensuring that any problems delaying application processing were identified and resolved. Beginning in fiscal year 2000, reducing the backlog of adjustment of status applications was added to its responsibilities.

The Production Management Office initially focused on reducing naturalization backlogs in the five districts that received the highest number of naturalization applications—Chicago, Los Angeles, Miami, New York City, and San Francisco. Each of the five districts was required to develop a backlog reduction plan. By August 31, 1998, the other 28 districts were also required to submit backlog reduction plans. For each field office, INS established an annual production goal for naturalization applications beginning in fiscal year 1999, and for adjustment of status applications beginning in fiscal year 2000. INS required each field office to submit a weekly production report and a monthly production plan for meeting its goals. A backlog reduction team comprised of representatives from INS headquarters, service centers, regional offices, and districts, was responsible for monitoring production efforts in the field offices. INS officials credit the leadership of the Office of Production Management and the cooperative efforts of the field offices in helping INS meet its production goals in fiscal years 1999 and 2000.

Efforts to Reduce Backlogs of Continued Naturalization Cases

A contractor study conducted for INS indicated that about 43 percent of 7,843 naturalization cases surveyed were continued. An applicant's case

[35]Called the Office of Backlog Reduction when it was first created in 1998.

may be continued, rather than approved or denied, for several reasons, including missing documentation in the case file,[36] failure to appear for the interview, failure to pass the English or civics test, and expired fingerprint results. INS did not have data indicating how long it takes to finish processing applications once they are continued, but an INS official told us that cases can be continued for long periods of time. This is because INS adjudicators move on to other applications that may be quicker to process and, with no data system to inform them whether they are working on cases in the order in which they were received, they do not get feedback on the number or age of continued cases.

INS has many pending naturalization cases that were submitted before July 1998. INS reported that, as of August 25, 2000, about 165,000 naturalization applications submitted before July 1998 were still pending. These cases had not yet been adjudicated, according to an INS official, because (1) in fiscal years 1997 and 1998, they were inadvertently dropped in the course of transferring data from one automated system used by service centers (CLAIMS 3) to another used by district offices (RNACS) and (2) districts focused on completing new, rather than continued, cases. Since May 2000, INS has assigned priority to completing these pre-July 1998 cases. INS officials could not project when these naturalization cases would be completed, but they said they were monitoring progress and, since August 2000, have required the field offices to submit biweekly reports on the status of these cases. As of March 1, 2001, INS reported that there were about 63,000 naturalization cases still pending that were submitted before July 1998. (See app.V for statistics on the pre-July 1998 naturalization cases for the four districts we visited.)

To help reduce the backlog of continued cases, INS' Production Management Office implemented a continuation review team initiative in March 2000. The team, comprised of adjudications officers and managers from the regions and districts, was tasked with reviewing and improving district office procedures for handling continued cases. The team reviewed five districts in fiscal year 2000, including San Francisco, Atlanta, Harlingen, Houston, and Los Angeles. These districts were reportedly selected because they had a relatively large number of continued cases based on their monthly production plans or were known to have implemented some improvements or best practices in this area. In

[36]A 1998 PricewaterhouseCoopers survey found that the most common missing documents were alien files, court arrest dispositions, medical/disability reports, and tax returns.

addition, INS wanted to include districts from each of the three INS regions.

Two of the districts we visited had received continuation team reviews in fiscal year 2000—Houston in May and Los Angeles in June. According to the team's report for Houston, during fiscal year 1999, Houston had focused primarily on completing new cases rather than continued ones. In fiscal year 2000, however, Houston initiated improvements to its processing of continued cases. Houston began to focus on its backlog of continued naturalization cases and set a timeframe of 60 days for adjudications officers to complete cases continued for additional documentation. The report made no recommendations for improving the processing of continued cases by the Houston district.

The team's report for Los Angeles noted that in fiscal year 1998, Los Angeles had centralized its more complicated continued cases and formed a continuation unit at the main district office to complete continued cases. The report recommended that the Los Angeles district track continued cases and implement a system at 30-, 60- and 90-day intervals that would call up continued cases and hold adjudications officers accountable for their completion.

According to INS officials, the continuation review team is an effective tool for improving the management of continued cases. They said they plan to expand the work of the team during fiscal year 2001 to include continued adjustment of status cases.

INS National Records Center Established to Expedite Retrieval of Alien Files

A major problem revealed by CUSA was that INS had difficulty locating alien files and having them available on a timely basis for review by adjudicators.[37] Many naturalization cases during CUSA were adjudicated without INS locating and reviewing the alien file, thereby increasing the likelihood of adjudication errors.

Congress approved the establishment of the INS National Records Center in October 1998. The creation of the center had been under discussion for almost 2 decades. The records center opened November 15, 1999, in a leased underground facility in Lee's Summit, MO. Before the center opened, INS stored files at more than 80 field offices. The primary mission

[37]The alien file, or administrative file, is INS' hard-copy repository of information on aliens.

of the record center is to provide timely access to information from alien files and subsidiary automated data systems by consolidating records in one location and using state-of-the-art records management technology. INS expects to transfer all alien files to the center by June 2001, according to the center's director.

INS expects application processing time to improve as a result of centralizing alien files. Having the record center, according to senior INS officials, will enable INS adjudicators to obtain needed alien files within a few days, as opposed to the weeks or months that it took under the decentralized system. Additionally, it will increase the likelihood that the alien files will be found. The center's standard for responding to requests (i.e., locating and shipping the alien file) is 3 days. According to information provided by the center, the average response time for February through August 2000 was 2.3 days. As of November 22, 2000, the center had responded to approximately 370,000 file transfer requests and had located all but 50 files.

Reengineering of Applications

INS is evaluating a study submitted by an INS contractor at the end of fiscal year 1999 for reengineering adjustment of status and seven other types of applications.[38] Collectively, the applications included in the study represented 71 percent of INS' workload in fiscal year 1998. INS initiated the reengineering effort because it believed that many aspects of the naturalization reengineering effort could also be applied to other application processes. In addition, INS had experienced nearly a five-fold increase in its pending workload between fiscal years 1992 and 1998 for these eight application types. The reengineering study found that INS lacked standardized processes, the integrity of INS processes could be strengthened, and opportunities existed to better utilize technology. With regard to processes, the study found that applications were not consistently adjudicated because the procedures used to process applications varied by office, most field offices allowed their adjudicators to review cases using minimal guidelines, and standard quality controls were lacking. In addition, productivity and processing times varied across

[38]The study is entitled *Immigration Benefits Reengineering Final Draft Report* (PricewaterhouseCoopers, Sept. 30, 1999). The forms included in the study, in order of volume were (1) I-765, application for employment authorization (23%); (2) I-130, petition for alien relative immigrant visa (14%); (3) I-485, application for adjustment of status (10%); (4) I-131, application for travel document (9%); (5) I-129, petition for a nonimmigrant worker (7%); (6) I-90, application to replace permanent resident card (6%); (7) I-140, immigrant petition for alien worker (1%); and (8) I-526, immigrant petition by alien entrepreneur (less than 1%).

field offices, and a lot of time was spent locating and moving alien files. The technical support priorities of field office staff cited in the study included the need for enhancing case management and tracking, minimizing duplicative data entry, and providing information for management reporting and decision making.

The study recommended implementing new consolidated processes and forms, quality controls, and a comprehensive fraud-prevention program. It also recommended creating an electronic alien file to reduce paper file movement and costs, and a servicewide automated case management and tracking system for all applications. The ISD director told us that INS is evaluating these recommendations and will make decisions regarding them after completing two related strategic plans currently being developed to guide INS' improvement efforts during the next 5 years—the business strategic plan for reengineering application processing and the information technology strategic plan. He estimated that it will take 5 years or more for INS to develop and implement the reengineered processes and implement a servicewide automated system to process all types of applications.

Conclusions

INS continues to experience significant problems managing its application workload despite years of increasing budgets and staff. Notwithstanding having paid fees to INS for processing their applications, aliens face long waits for a resolution to their case and have difficulty obtaining accurate information on how long they can expect to wait. INS acknowledges, and we agree, that it needs better automation capability and a more streamlined application process to provide improved levels of service. Automation improvements, including improvements to the reliability of data in CLAIMS 3 and CLAIMS 4, would provide INS with the management information it needs to determine how long aliens have been waiting for their applications to be processed. Automation improvements would also help INS determine whether it is processing all the applications it receives, working on applications in the order in which they are received, and providing prompt and correct responses to applicants' inquiries about the status of their cases.

Although INS believes that additional staff would reduce its application backlog problem, it is not now in a position to determine the extent to which staff shortages play a part in this problem. INS does not know how to maximize the deployment of staff to process applications in a timely fashion because it lacks a systematically developed staff resource allocation model. Such a model could help INS determine the right number

and types of staff it needs, efficiently distribute staff to the right locations, and ensure that resources are deployed commensurate with the workload to minimize backlogs and processing times.

INS' policy of minimizing wait times by granting work authorization to aliens before it fully adjudicates their adjustment of status cases has provided thousands of aliens with the opportunity to work in the United States. However, many of these aliens were later denied permanent resident status, and while INS reportedly revoked their employment authorization, these aliens had already been allowed to work for many months and develop a work history that may facilitate obtaining future employment. INS could reduce the need to revoke employment authorization documents by providing guidance and training on application screening to its district staff and taking steps to ascertain whether improvements could be made to the application screening process.

INS' long-standing problems with its fingerprinting process, including poor-quality fingerprints and ensuring that all fingerprint check results are obtained, appear to have been largely corrected. Nevertheless, because over 585,000 applicants had been waiting at least 21 months for their naturalization and adjustment of status applications to be decided as of October 2000, fingerprint check expirations continue to be problematic for pending cases. With digital technology now being used by INS to fingerprint aliens and transmit the fingerprints electronically to the FBI, there may be opportunities to store the fingerprints electronically and save the time and expense associated with the refingerprinting process.

Recommendations for Executive Action

We recommend that the INS Commissioner ensure that INS do the following:

- Develop the capability and begin to calculate and report actual processing times for applications as soon as reliable automated data are available from CLAIMS 3 and CLAIMS 4. This includes naturalization applications processed by service centers and districts and all other applications processed by service centers.
- Develop guidance and training for districts on how to screen adjustment of status applications in order to reduce the number of errors made in the initial review process that is used to determine whether individuals whose adjustment of status applications are pending should be granted work authorization.
- Periodically review a sample of denied adjustment of status cases processed at service centers and districts to determine how many and

what types of cases should not have been granted employment authorization during the screening process. This could provide useful feedback to INS on how it may improve its guidance and training for conducting the initial reviews of adjustment of status applications.

- Develop a staffing model for processing naturalization applications and expand the model to include other application types as their processes are reengineered and automated.
- Prepare a cost-benefit analysis on the digital storage of fingerprints. As part of this analysis, INS should calculate the time and cost savings that would result from eliminating the need to refingerprint applicants whose fingerprint check results expire. INS should also calculate the costs that INS or the FBI would incur as a result of storing the fingerprints.

Agency Comments and Our Evaluation

We requested comments on a draft of this report from the Attorney General. In a letter dated April 20, 2001, which we have reprinted in appendix VII, the INS Executive Associate Commissioner for Field Operations concurred with the report and its recommendations.

We have also included in the final report technical comments and suggestions from INS as appropriate.

As arranged with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days after its issue date. At that time, we will send copies to the Honorable John Ashcroft, Attorney General; Kevin Rooney, Acting Commissioner, Immigration and Naturalization Service; and other interested parties. We will also make copies available to others upon request.

The major contributors to this report are acknowledged in appendix VIII. If you or your staff have any questions on this report, please call me or Evi Rezmovic on (202) 512-8777.

Richard M. Stana

Richard M. Stana
Director, Justice Issues

Appendix I: List of INS Applications and Petitions Processed at the Service Centers, Districts, and Application Support Centers

Form number	Type of application or petition[a]	Service centers[b]	District offices
I-17	Petition for Approval of School for Attendance by Nonimmigrant Students		X
I-90	Application to Replace Permanent Resident Card	X	X
I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	X	X
I-129	Petition for Nonimmigrant Worker	X	
I-130	Petition for Alien Relative	X	X
I-131	Application for Travel Document	X	X
I-134	Affidavit of Support		X
I-140	Immigrant Petition for Alien Worker	X	
I-191	Application for Advance Permission to Return to Unrelinquished Domicile	X	X
I-192	Application for Advance Permission to Enter as Nonimmigrant	X	X
I-193	Application for Waiver of Passport and/or Visa		X
I-212	Application for Permission to Reapply for Admission Into the United States After Deportation or Removal	X	X
I-246	Application for Stay of Deportation or Removal		X
I-290B	Notice of Appeal to the Administrative Appeals Unit	X	X
I-352	Immigration Bond		X
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	X	X
I-408	Application to Pay Off or Discharge Alien Crewman		X
I-485	Application to Register Permanent Residence or Adjust Status[c]	X	X
I-526	Immigrant Petition by Alien Entrepreneur	X	
I-539	Application to Extend/Change Nonimmigrant Status	X	X
I-566	Inter-agency Record of Individual Requesting Change/Adjustment to or from A or G Status; or Requesting A, G, or NATO Dependent Employment Authorization		X
I-589	Application for Asylum and for Withholding of Removal		X
I-600	Petition to Classify Orphan as an Immediate Relative		X
I-601	Application for Waiver of Grounds of Excludability	X	X
I-612	Application for Waiver of the Foreign Residence Requirement	X	X
I-643	Health and Human Services Statistical Data for Refugee/Asylee Adjusting Status		X
I-690	Application for Waiver of Grounds of Excludability (Under Sections 219 or 245A of the Immigration and Nationality Act)	X	X
I-693	Medical Examination of Aliens Seeking Adjustment of Status	X	
I-694	Notice of Appeal of Decision (Under Sections 210 or 245A of the Immigration and Nationality Act)	X	X
I-695	Application of Temporary Replacement Card	X	X
I-698	Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of P.L. 99-603)	X	
I-730	Refugee/Asylee Relative Petition	X	
I-751	Petition to Remove Conditions on Residence	X	X
I-765	Application for Employment Authorization	X	X
I-817	Application for Voluntary Departure Under the Family Unity Program	X	
I-821	Application for Temporary Protected Status	X	X
I-824	Application for Action on an Approved Application or Petition	X	X
I-829	Petition by Entrepreneur to Remove Conditions	X	
I-864	Affidavit of Support (Under Section 213 of the Immigration and Nationality Act)	X	X

Form number	Type of application or petition[a]	Service centers[b]	District offices
I-881	Application for Suspension of Deportation or Special Rule Cancellation of Removal (Under Section 203 of P.L. 105-100 (NACARA))	X	
N-300	Application to File Declaration of Intention		X
N-336	Request for Hearing on a Decision in Naturalization Proceedings Under Section 336 of the Immigration and Nationality Act		X
N-400	Application for Naturalization	X	X
N-410	Application for Motion for Amendment of Petition		X
N-426	Request for Certification of Military or Naval Service		X
N-455	Application for Transfer of Petition for Naturalization		X
N-470	Application to Preserve Residence for Naturalization Purposes		X
N-565	Application for Replacement Naturalization/Citizenship Document	X	X
N-600	Application for Certification of Citizenship by Parent, or Grandparent (Supplement A)	X	X
N-643	Application for Certificate of Citizenship on Behalf of an Adopted Child by Parent, or Grandparent (Supplement A)	X	X
N-644	Application for Posthumous Citizenship	X	
N-648	Medical Certification for Disability Exceptions		X

[a]Some types of applications and petitions are processed jointly at both the service centers and district offices. As of June 2000, the responsibility for processing applications to renew permanent resident cards was transferred to the application support centers. The districts remain responsible for processing applications to replace cards that were lost or stolen, while the service centers process applications to replace cards and issue initial cards for special agricultural workers.

[b]Some types of applications and petitions are not processed at all four service centers. Applications that are uniquely processed at one or two service centers are also included in this category.

[c]Referred to as adjustment of status application throughout the report.

Source: INS.

Appendix II: Description of Major INS Application and Petition Forms

Type of application	Description
Application for Naturalization (N-400)	This form is used by permanent residents18 years old or older to apply to become a naturalized citizen of the United States.
Application to Register Permanent Residence or Adjust Status (I-485)[a]	This form is used by a person who is in the United States to apply to adjust to permanent resident status or to register for permanent residence. This form is also used by certain Cuban nationals to request to change the date of lawful permanent residence in the United States.
Application to Replace Permanent Resident Card (I-90)	This form is used by permanent residents and conditional residents to apply for replacement of lost permanent resident cards, or renewal of permanent resident cards that have expired.
Petition for a Nonimmigrant Worker (I-129)	Employers use this form to petition on behalf of an alien (certain nonimmigrant workers) to enable the alien to come to the United States temporarily to perform services or labor, or to receive training by the employer. This form is also used to petition for an extension of stay or change of status.
Petition for Alien Relative (I-130)	A U.S. citizen or lawful permanent resident of the United States may file this form to establish the relationship of certain alien relatives who wish to immigrate to the United States as a permanent resident.
Application for Travel Document (I-131)	This form is used to apply for a: (1) reentry permit, (2) refugee travel document, or (3) advance parole document. Permanent or conditional residents apply for reentry to the United States (if returning from a trip abroad of more than a year's duration) without having to obtain a returning resident visa from an American consulate. Applicants in a refugee or asylee status must obtain a refugee travel document to return to the United States after temporary travel abroad. Applicants with a pending adjustment-of-status application must apply for advance parole if they are seeking to travel abroad temporarily for emergent personal or bona fide business reasons. In addition, if a person is outside the United States and must travel to the United States temporarily for emergent business or personal reasons, he or she may apply for an advance parole document to be paroled into the United States on humanitarian grounds if he or she cannot obtain the necessary visa and any required waiver of excludability. Parole cannot be used to circumvent normal visa issuing procedures, and it is not a means to bypass delays in visa issuance.
Immigrant Petition for Alien Worker (I-140)	This form is used by an employer to petition for an alien worker to immigrate to the United States based on employment.
Application to Extend/Change Nonimmigrant Status (I-539)	This form is used for a nonimmigrant to apply for an extension of stay in the United States or to change to another nonimmigrant status.
Petition to Remove the Conditions on Residence (I-751)	This form is used by a conditional resident who obtained such status through marriage to apply to have the conditions removed on his or her resident status.
Application for Employment Authorization (I-765)	This form is used by certain aliens temporarily in the United States to request an employment authorization document. The employment authorization document is valid for 1 year, and applicants must renew it if it expires.

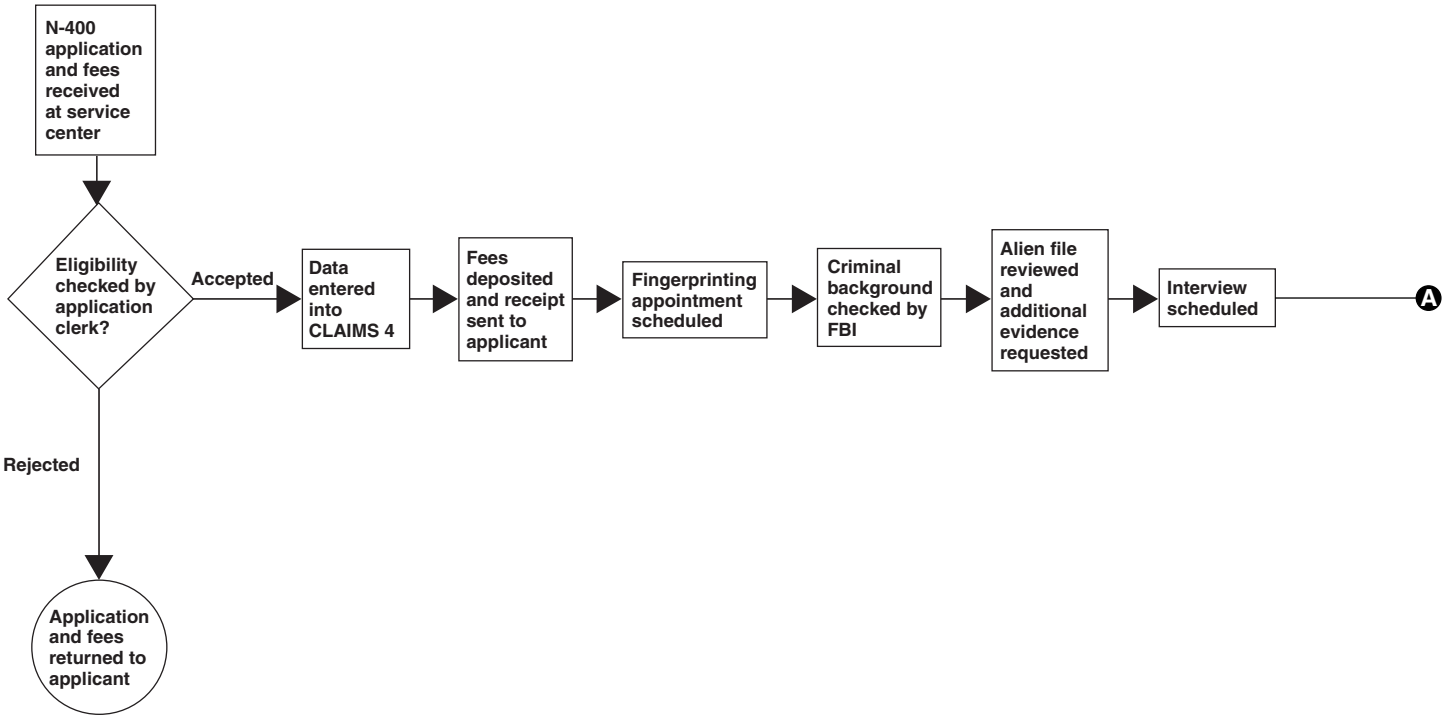
[a]Referred to as adjustment of status application throughout the report.

Source: INS.

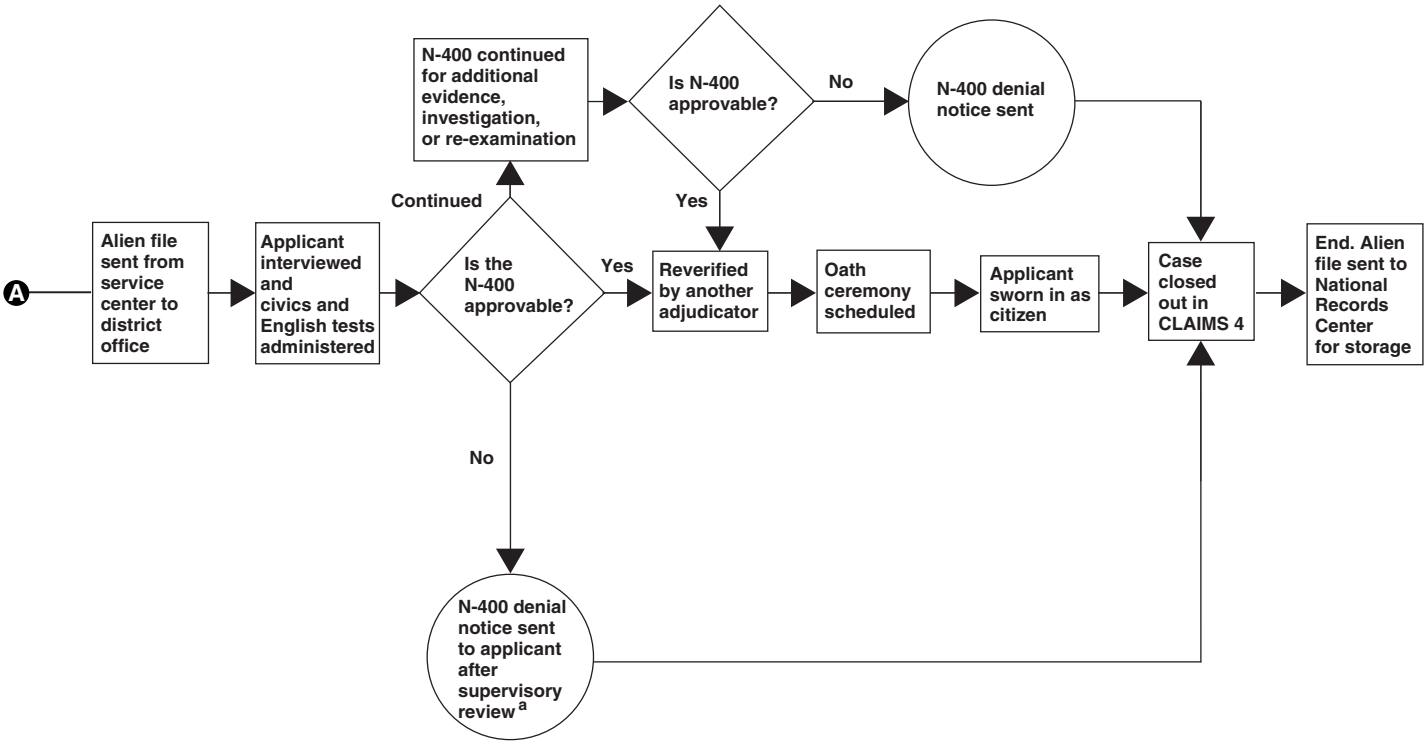
Appendix III: INS Naturalization and Adjustment of Status Processing Flowcharts

Figure 6: Application for Naturalization (Form N-400) Flowchart

Service center processing steps



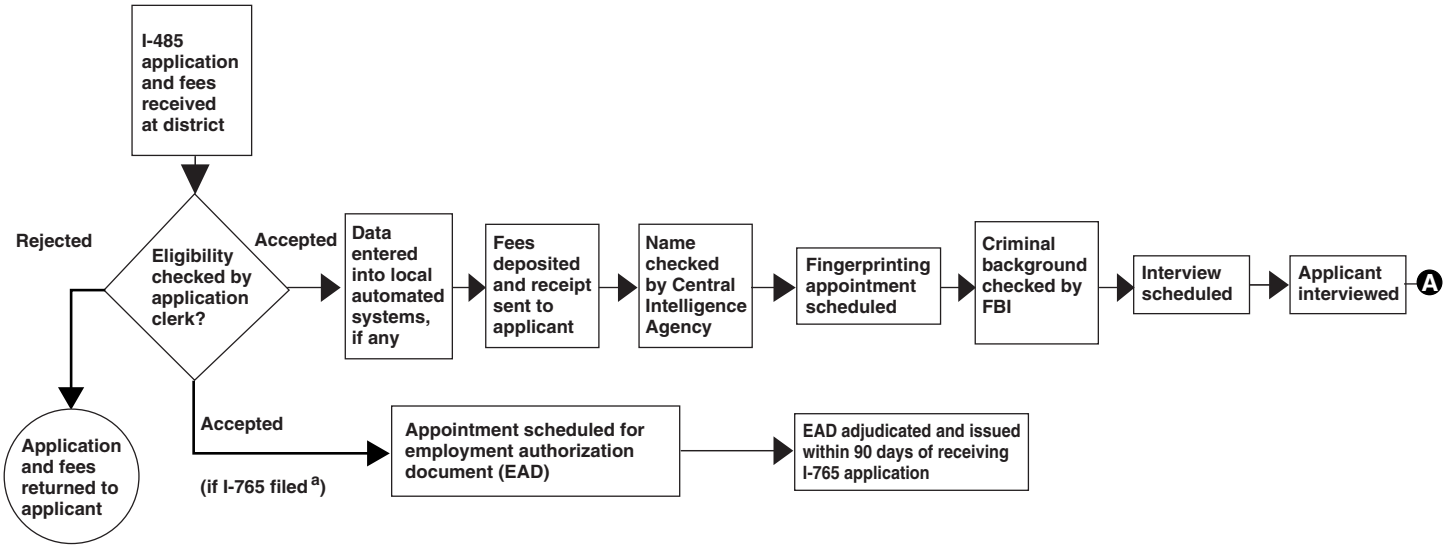
District office processing steps

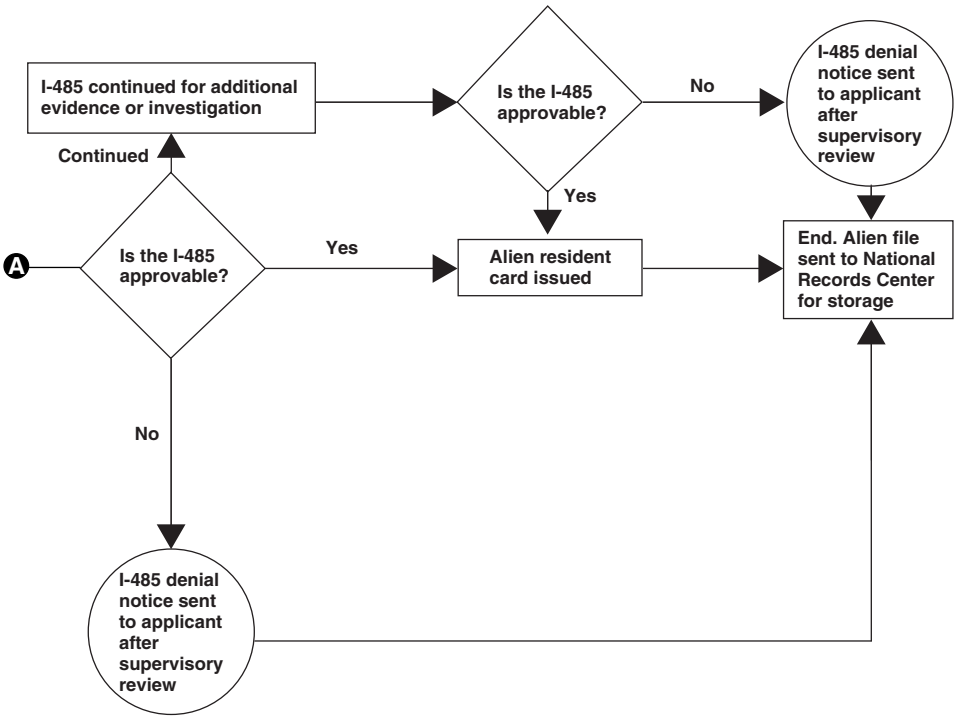


Note: All naturalization applications are initially processed at the service centers and then transferred to a district for interview and adjudication.

[a]Supervisory review is performed on any case that may be denied because the applicant has a criminal history or a medical disability or the alien file cannot be located.

Figure 7: District Application for Adjustment of Status (Form-485) Flowchart for Family-Based Applications

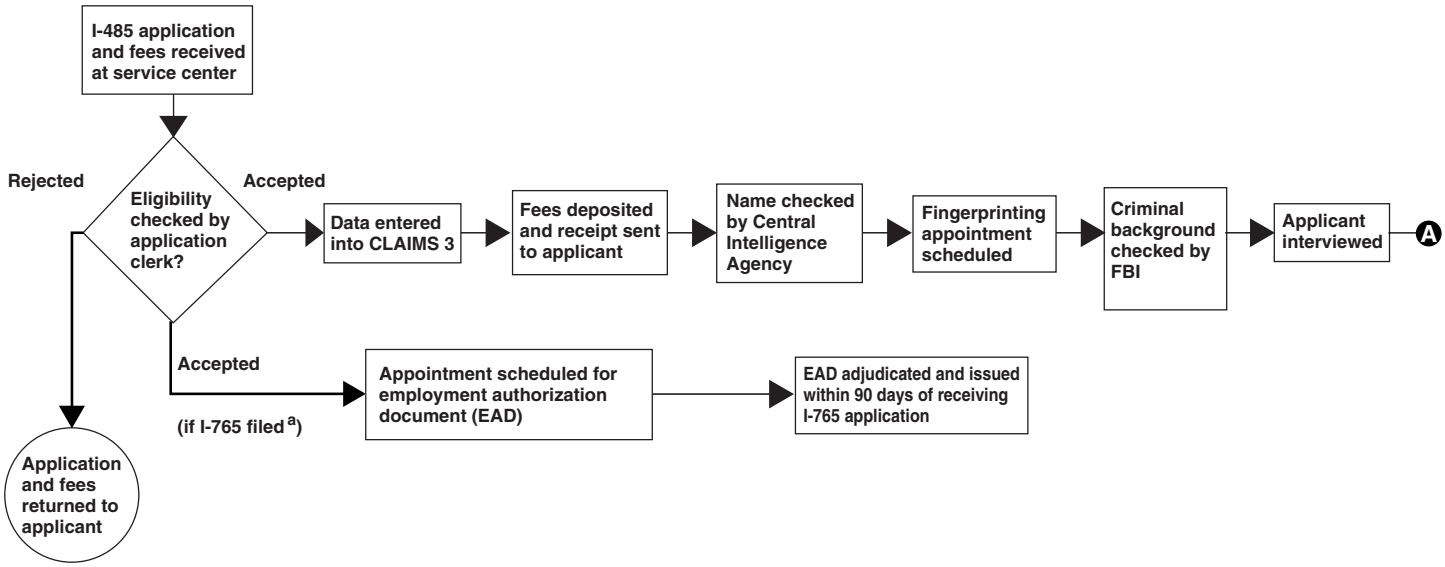


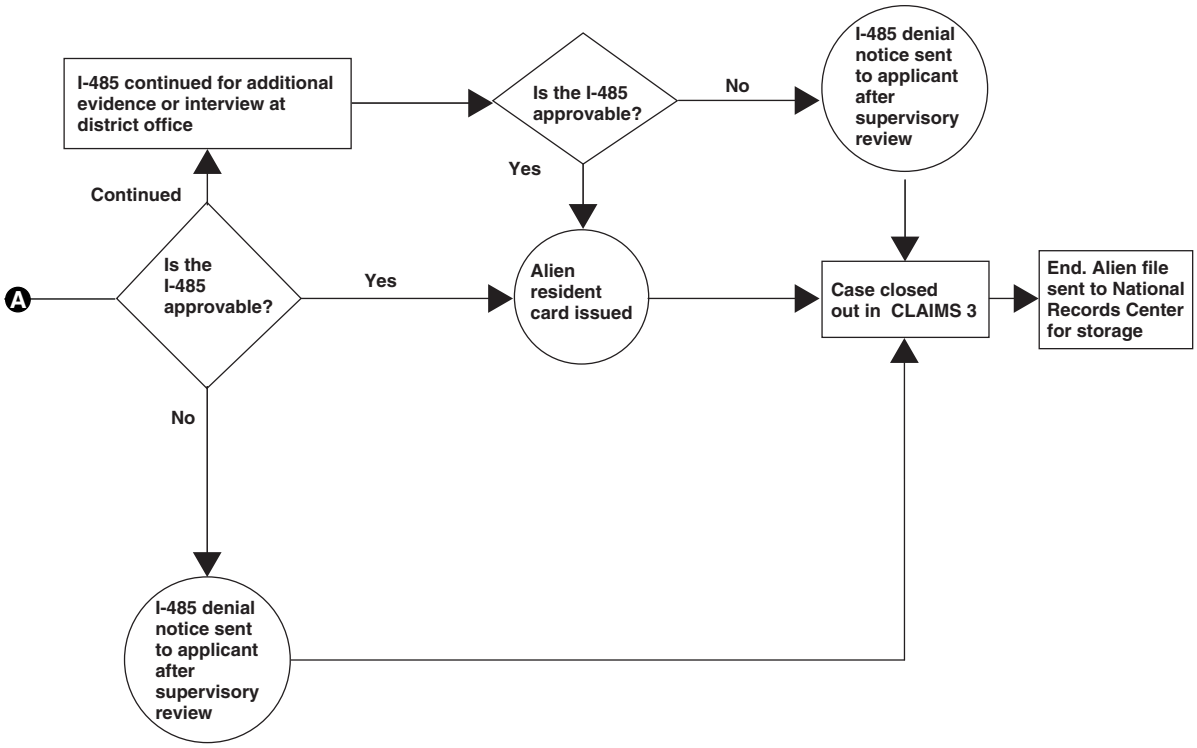


Note: The districts primarily receive and adjudicate family-based adjustment of status applications.

[a]Form I-765 is the Application for Employment Authorization.

Figure 8: Service Center Application for Adjustment of Status (Form I-485) Flowchart for Employment-Based Applications



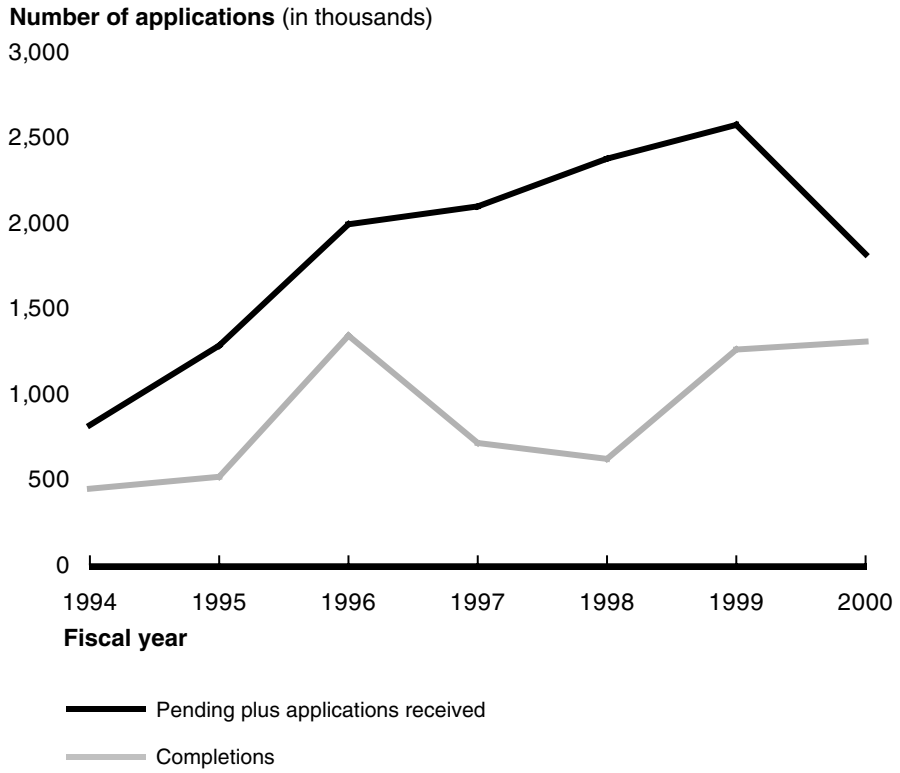


Note: The service centers primarily receive and adjudicate employment-based adjustment of status applications. If the adjudicator determines that an interview is needed, the case is transferred to a district office for interview and adjudication.

[a]Form I-765 is the Application for Employment Authorization.

Appendix IV: INS Workload Data on Major Types of Applications

Figure 9: Application for Naturalization (Form N-400) Workload Compared to Completions

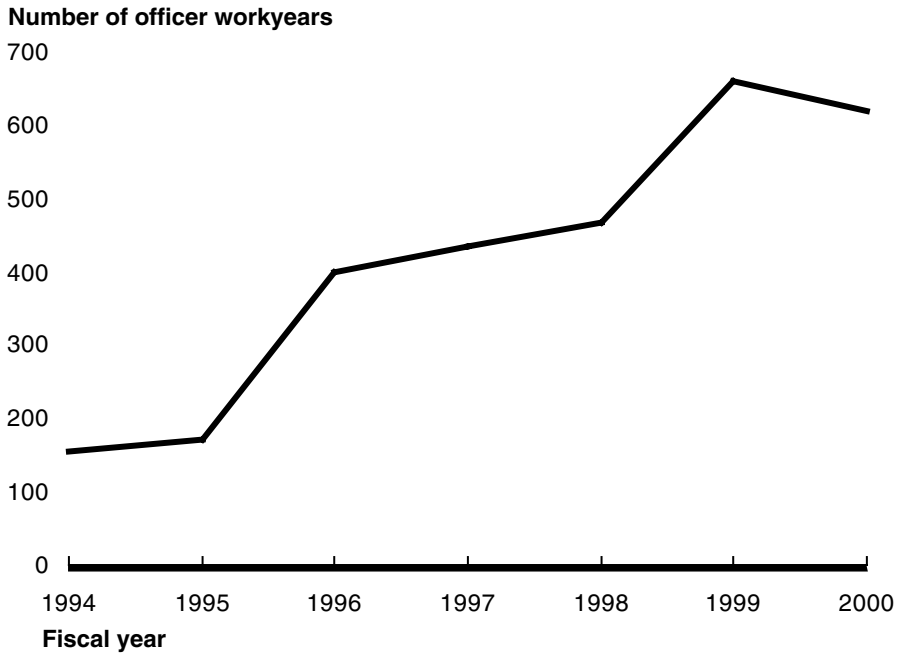


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	812,545	1,274,199	1,982,669	2,096,781	2,373,353	2,568,248	1,816,382
Completions	444,074	505,913	1,334,180	713,153	610,547	1,252,420	1,297,986

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 10: Officer Workyears Spent Processing Applications for Naturalization (Form N-400)

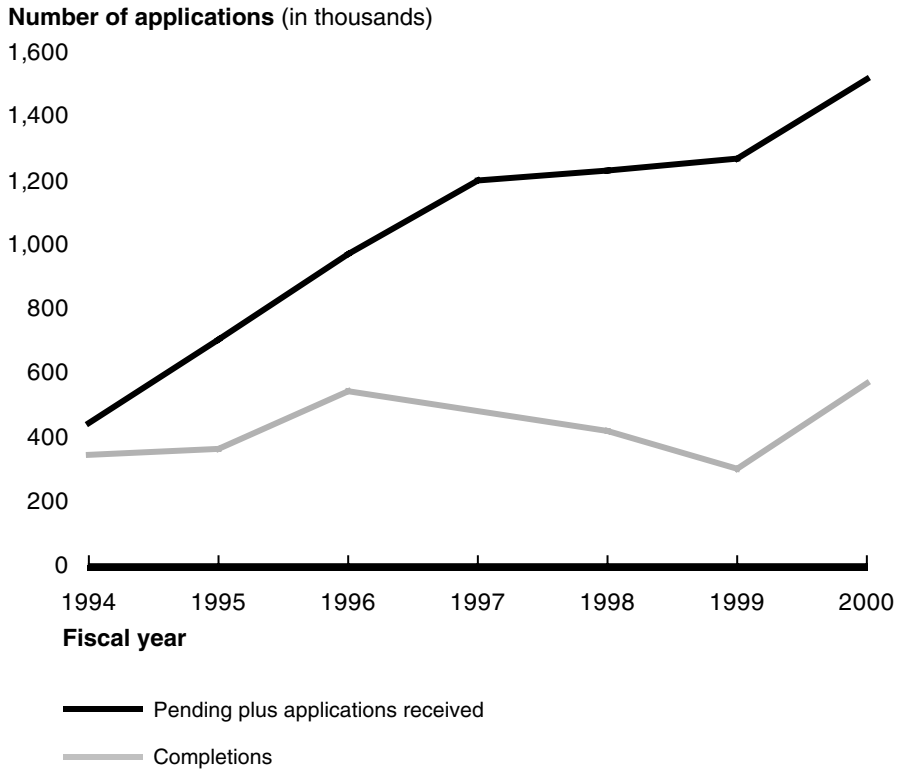


Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	155	172	400	434	466	660	618

Figure 11: Application for Adjustment of Status (Form I-485) Workload Compared to Completions

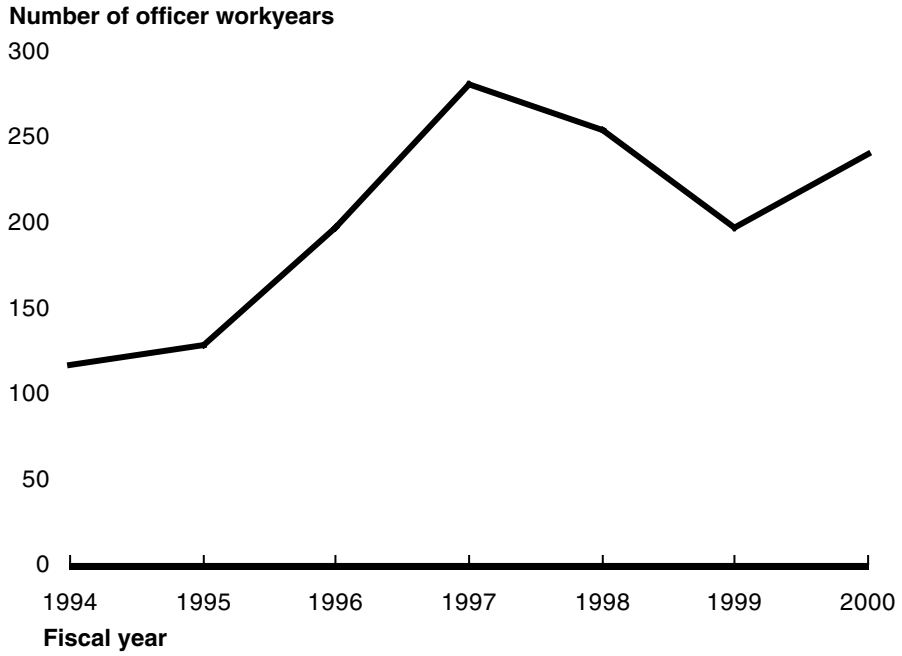


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	442,417	698,786	967,315	1,194,750	1,226,785	1,264,740	1,512,955
Completions	341,759	357,567	541,867	477,974	416,392	299,890	564,131

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 12: Officer Workyears Spent Processing Adjustment of Status Applications (Form I-485)

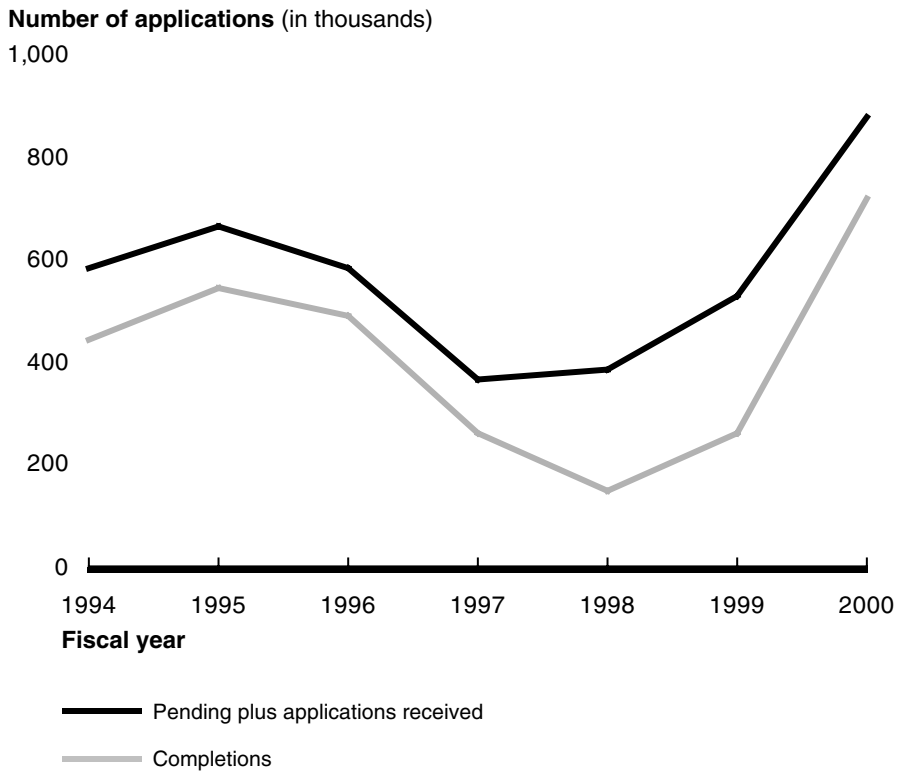


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	116	128	197	280	253	197	240

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 13: Application to Replace Permanent Residence Card (Form I-90) Workload Compared to Completions

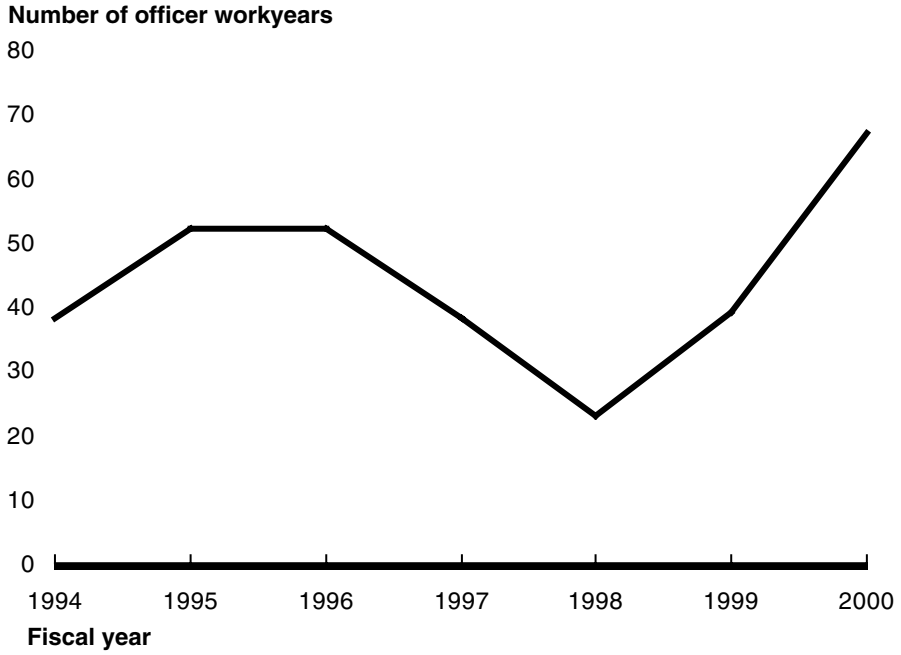


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	581,861	661,077	583,0911	1365,553	383,842	527,156	875,485
Completions	442,909	543,171	486,906	260,009	146,441	259,386	718,172

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 14: Officer Workyears Spent Processing Applications to Replace Permanent Residence Card (Form I-90)

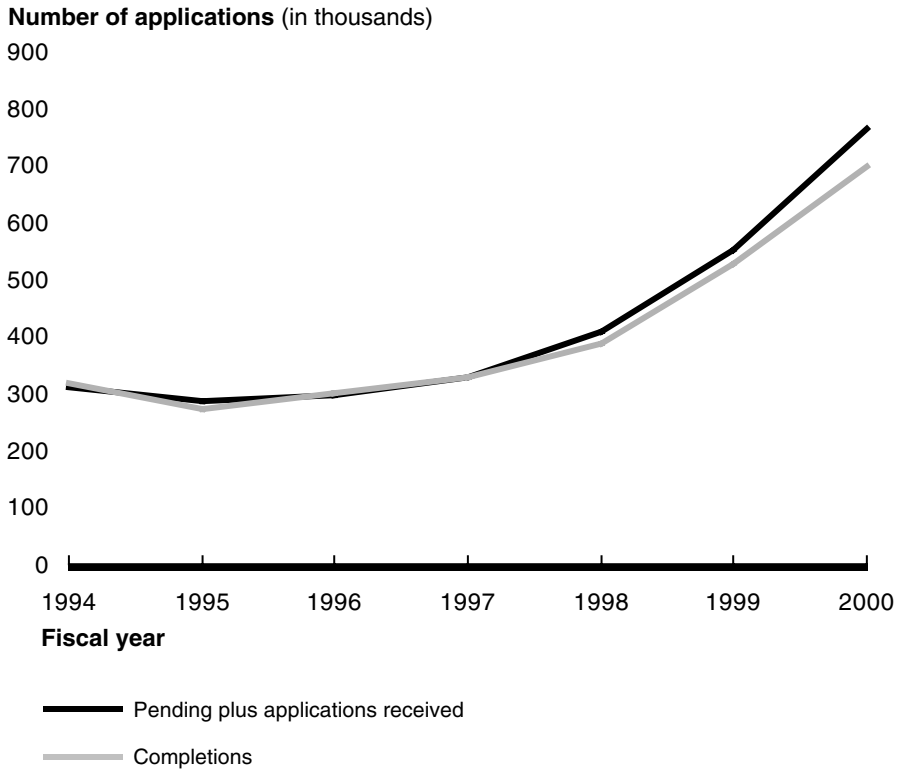


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	38	52	52	38	23	39	67

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 15: Petition for Nonimmigrant Worker (Form I-129) Workload Compared to Completions

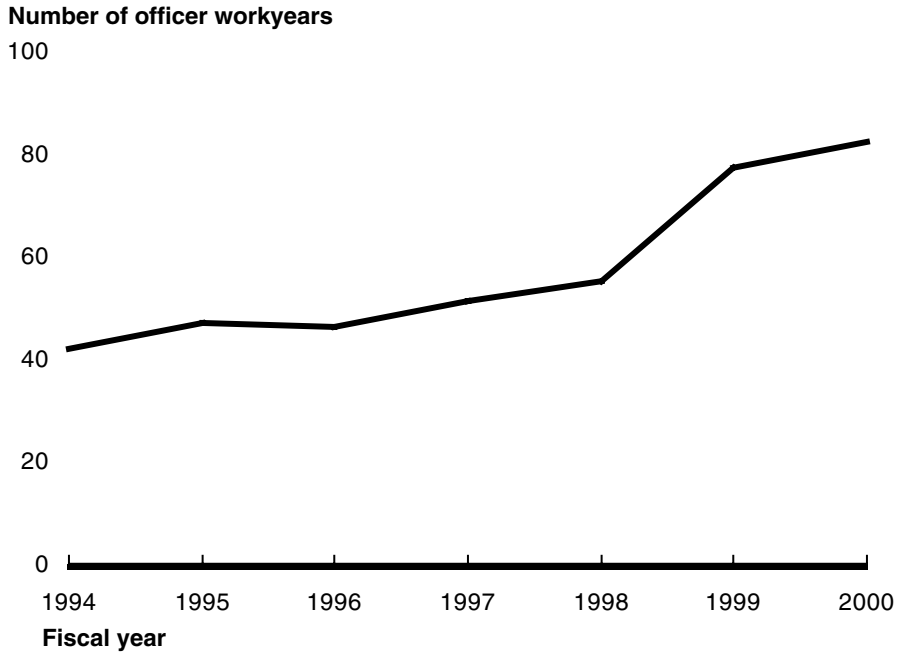


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	309,655	284,507	295,242	327,301	406,675	551,3397	764,236
Completions	318,894	272,817	300,029	327,481	385,493	527,104	698,127

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 16: Officer Workyears Spent Processing Petitions for Nonimmigrant Worker (Form I-129)

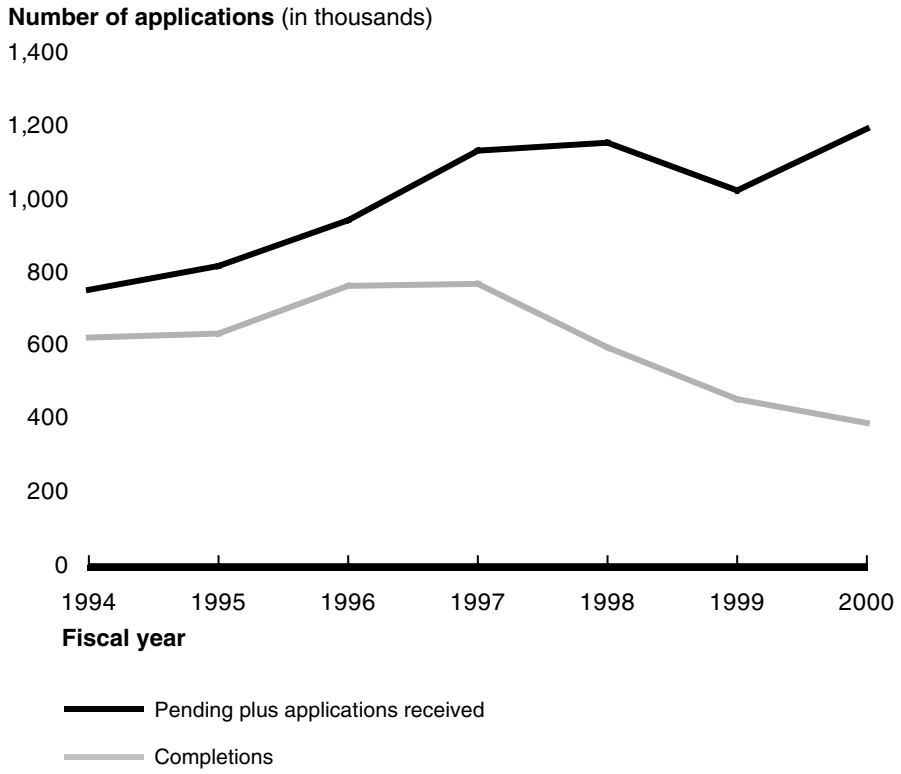


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	42	47	46	51	55	77	82

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 17: Petition for Alien Relative (Form I-130) Workload Compared to Completions

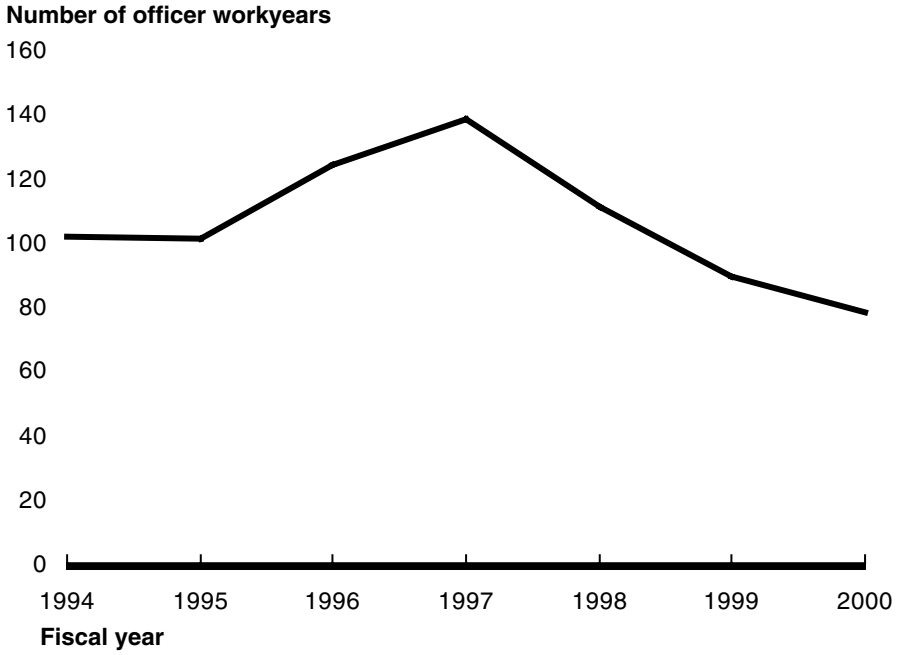


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	747,369	811,878	939,389	1,127,798	1,150,032	1,020,319	1,190,768
Completions	619,213	629,163	758,388	763,822	593,315	449,539	383,468

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 18: Officer Workyears Spent Processing Petitions for Alien Relative (Form I-130)

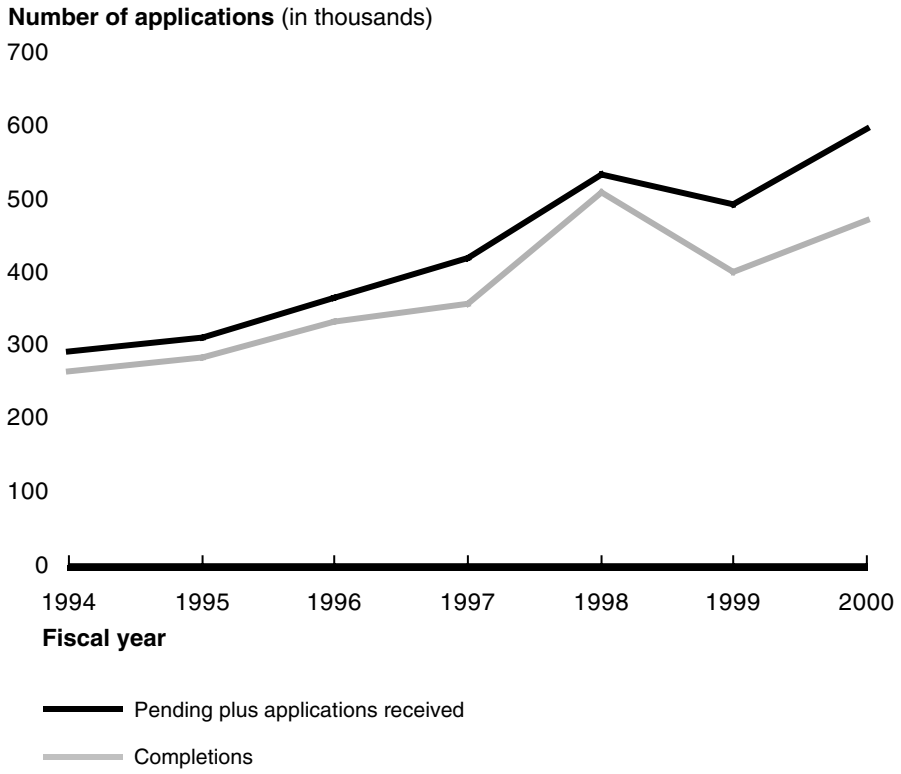


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	102	101	124	138	111	89	78

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 19: Application for Travel Document (Form I-131) Workload Compared to Completions

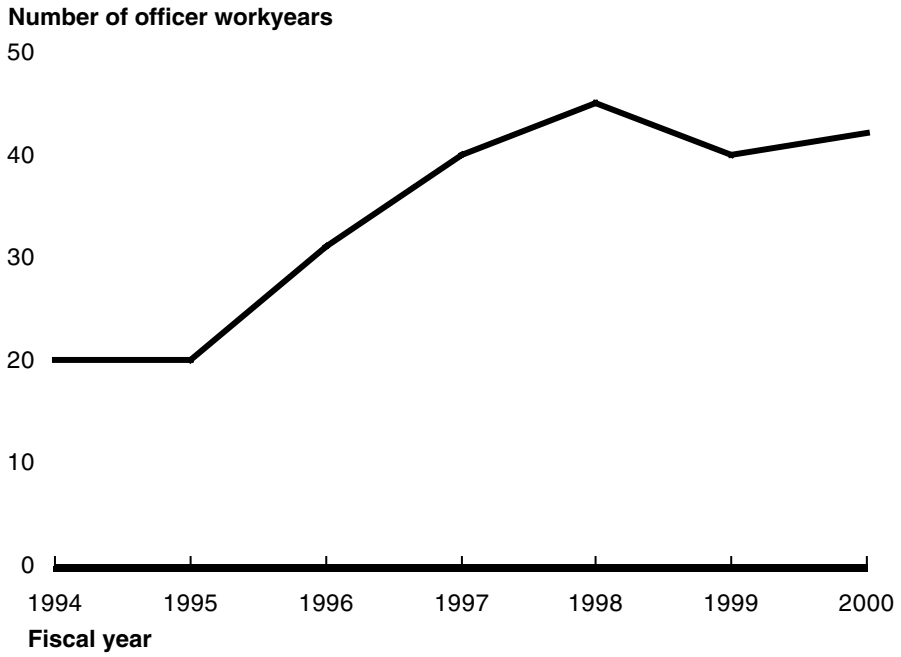


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	290,117	310,628	363,613	418,265	531,660	491,856	595,513
Completions	264,454	283,457	330,981	356,458	506,531	398,354	468,451

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 20: Officer Workyears Spent Processing Applications for Travel Document (Form I-131)

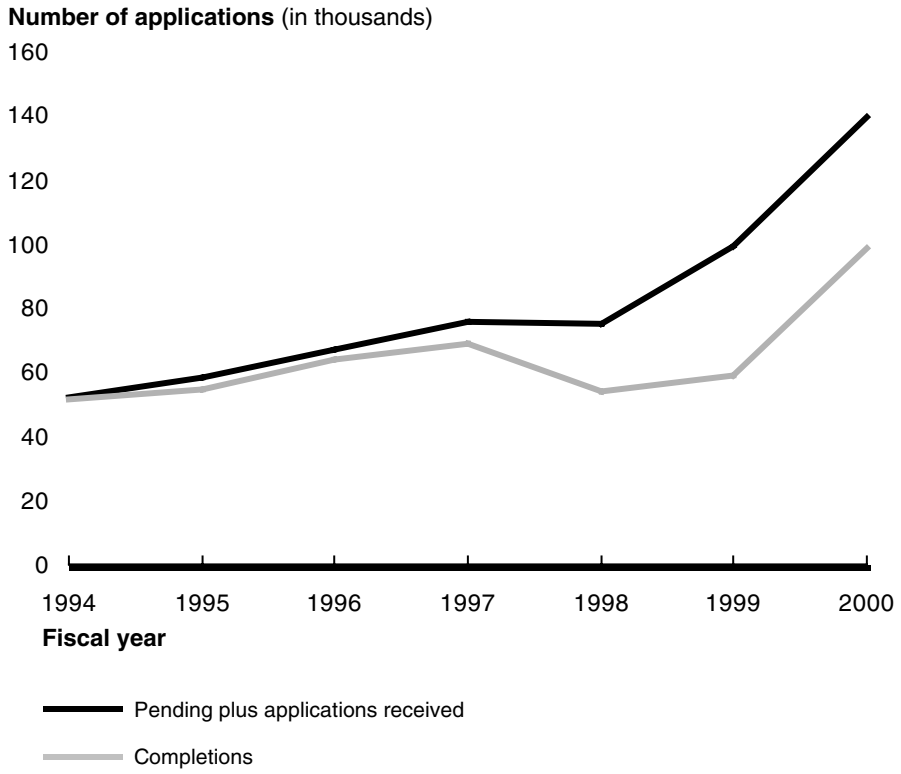


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	20	20	31	40	45	40	42

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 21: Immigrant Petition for Alien Worker (Form I-140) Workload Compared to Completions

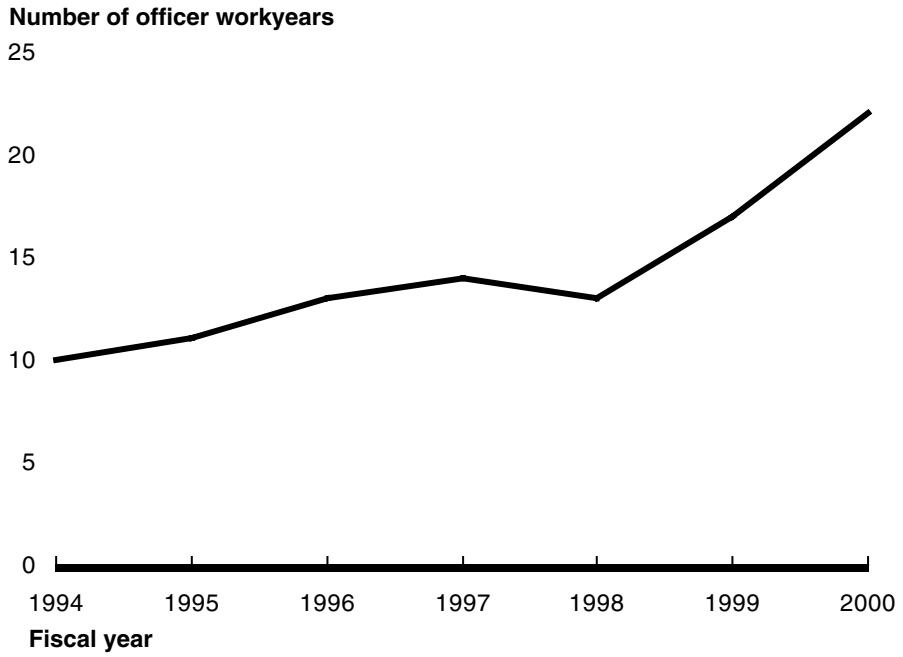


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	52,402	58,472	66,803	75,567	75,248	99,188	139,419
Completions	51,568	54,588	63,777	68,865	53,904	59,080	98,457

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 22: Officer Workyears Spent Processing Immigrant Petitions for Alien Worker (Form I-140)

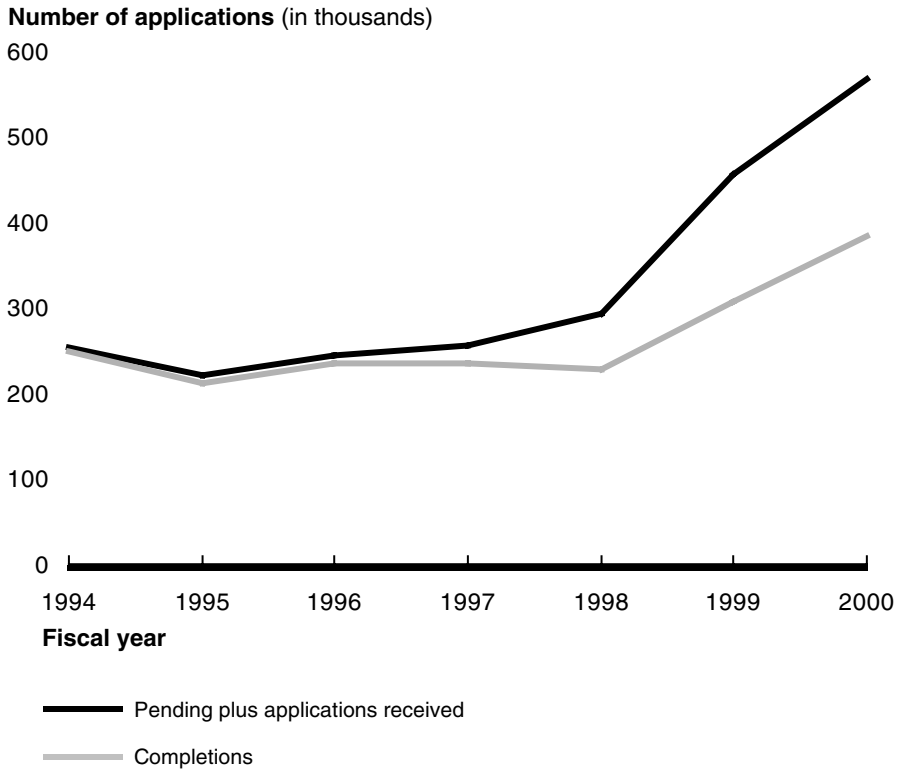


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	10	11	13	14	13	17	22

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 23: Petition to Extend/Change Nonimmigrant Status (Form I-539) Workload Compared to Completions



Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	252,330	219,859	244,304	255,860	294,498	455,048	567,807
Completions	249,003	212,485	235,417	233,725	227,355	306,969	383,302

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

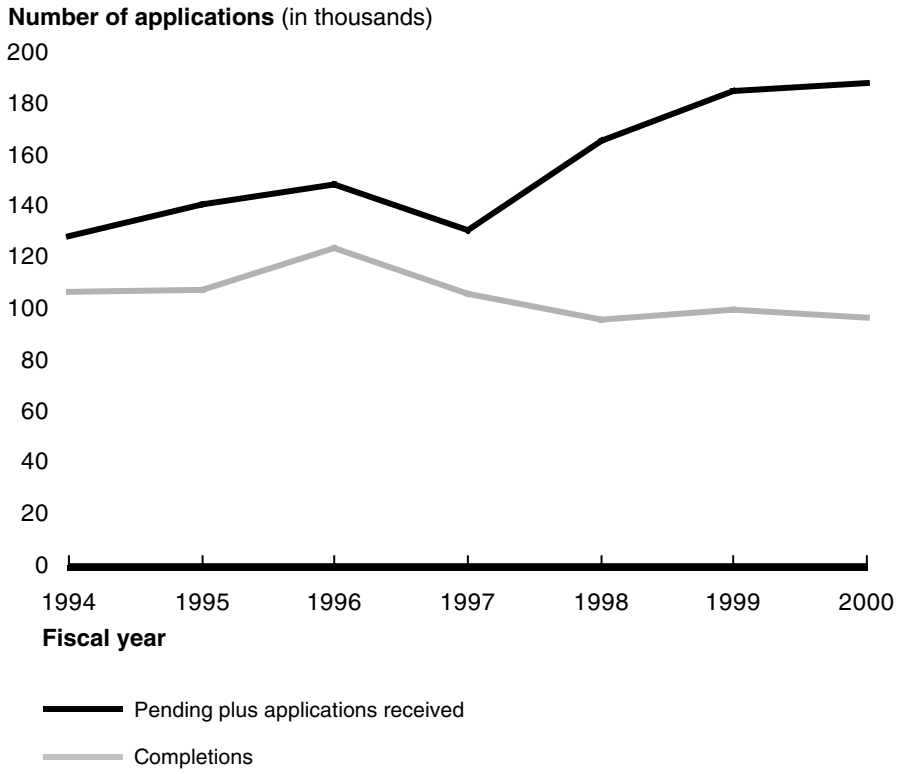
Figure 24: Officer Workyears Spent Processing Petitions to Extend/Change Nonimmigrant Status (Form I-539)

Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	28	21	23	24	24	21	24

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 25: Petition to Remove Conditions on Residence (Form I-751) Workload Compared to Completions

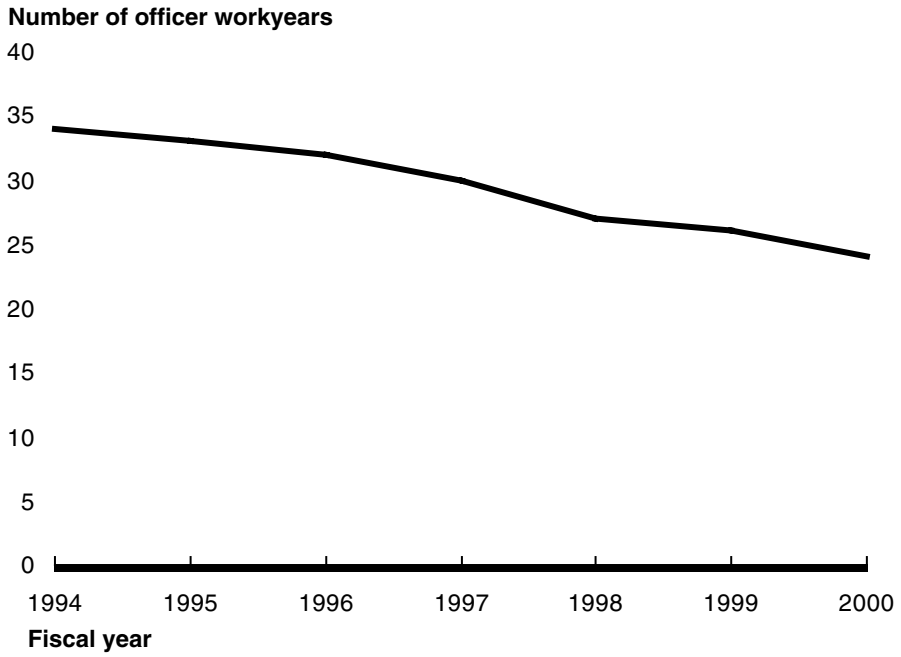


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	127,948	140,651	147,772	130,587	165,423	184,143	187,914
Completions	106,326	107,211	123,190	105,712	95,577	99,039	95,781

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 26: Officer Workyears Spent Processing Petitions to Remove Conditions on Residence (Form I-751)

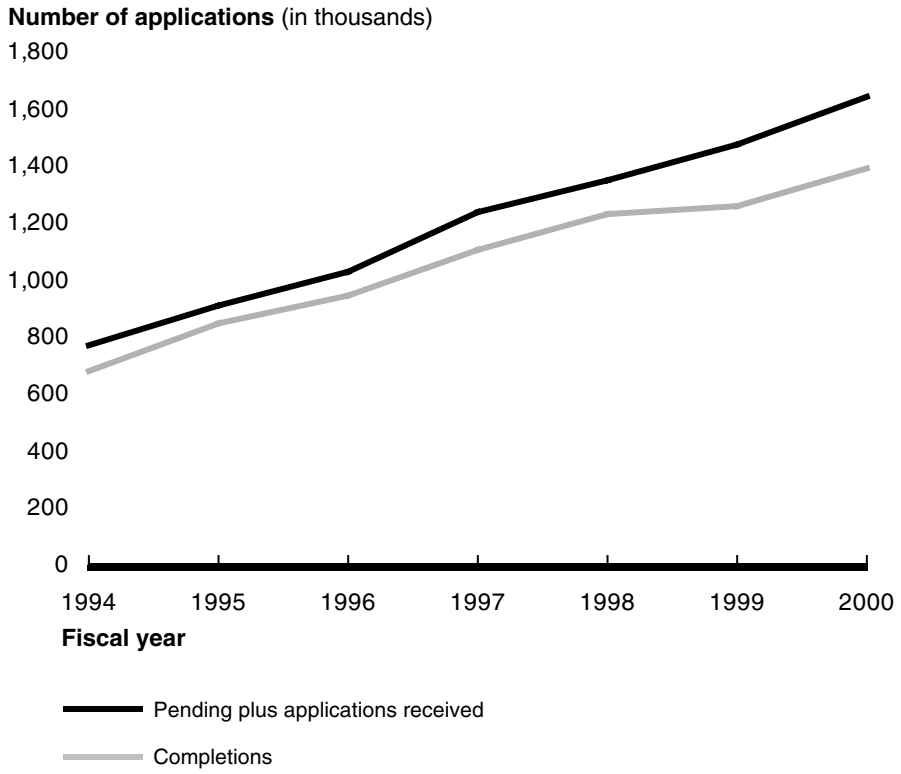


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	34	33	32	30	27	26	24

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Figure 27: Application for Employment Authorization (Form I-765) Workload Compared to Completions

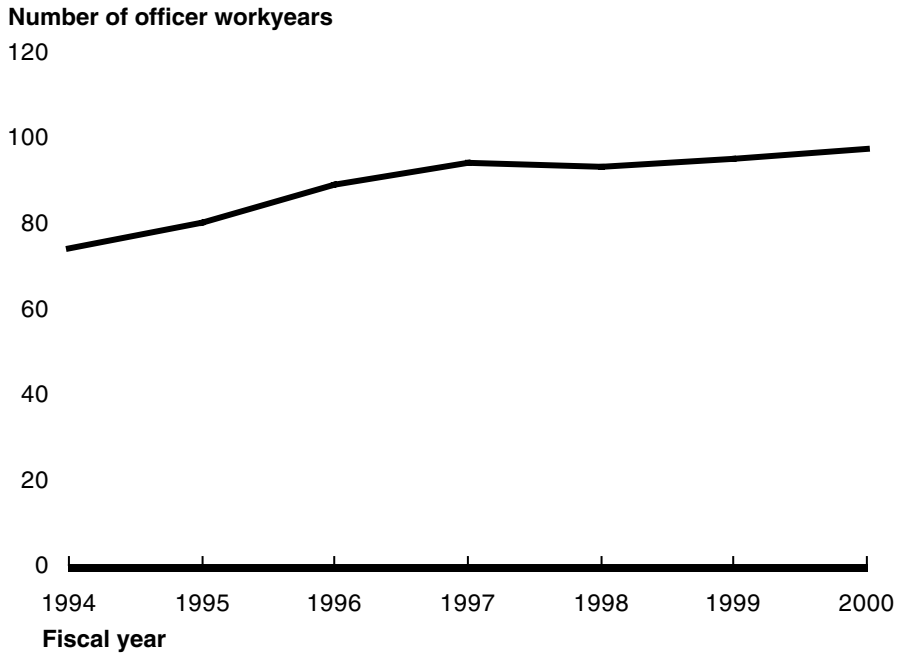


Fiscal year	1994	1995	1996	1997	1998	1999	2000
Pending + applications received	767,483	909,126	1,022,937	1,237,354	1,346,866	1,472,042	1,637,419
Completions	680,214	847,040	938,887	1,105,542	1,228,401	1,257,754	1,391,625

Note: Workload is the sum of pending applications at the beginning of the fiscal year plus applications received during the fiscal year.

Source: GAO analysis of INS Performance Analysis System data.

Figure 28: Officer Workyears Spent Processing Applications for Employment Authorization (Form I-765)



Fiscal year	1994	1995	1996	1997	1998	1999	2000
Officer workyears	74	80	89	94	93	95	97

Note: Data include adjudications officers' overtime, but not the time they spent on administrative activities (e.g., training or leave). According to an INS official, data do not always include time INS officers, such as inspectors, were detailed to the Adjudications and Naturalization program because INS does not consistently collect these data.

Source: GAO analysis of INS Performance Analysis System data.

Appendix V: Statistical Profile of INS Field Offices Visited

Table 9: California Service Center

Applications Received

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	0	0	140,982	226,021	210,924	274,568	136,789
Application for adjustment of status (I-485)[b]	918	23	1	20,327	19,298	13,882	26,850
Application to replace permanent resident card (I-90)	80,140	62,563	86,846	77,010	81,484	62,845	154,110
Petition for nonimmigrant worker (I-129)	67,285	62,394	60,737	62,348	73,165	112,752	167,815
Petition for alien relative (I-130)	187,709	172,043	171,516	207,868	203,394	124,352	156,258
Application for travel document (I-131)	0	0	0	3,776	10,128	12,707	23,165
Immigrant petition for alien worker (I-140)[c]	11,935	12,206	14,074	16,208	14,370	22,190	25,174
Application to extend/change nonimmigrant status (I-539)	57,081	54,822	58,753	65,152	65,215	167,276	109,146
Petition to remove conditions on residence (I-751)	23,137	24,178	24,401	20,460	24,771	22,353	21,421
Application for employment authorization (I-765)	132,442	178,141	215,451	222,798	216,696	210,999	199,929
All other applications	19,123	27,340	30,026	55,257	41,105	61,026	59,180
Total	**579,770**	**593,710**	**802,787**	**977,225**	**960,550**	**1,084,950**	**1,079,837**

[a]Service centers did not receive N-400 applications in fiscal years 1994 and 1995. In fiscal year 1996, some N-400 applications started to be directly mailed to service centers for initial processing, then sent to districts for adjudication. In fiscal years 1996 through 1998, N-400 applications received by INS were not consistently recorded or processed at the service centers or districts, according to INS officials. For fiscal years 1999 and 2000, all naturalization applications were received by the service centers and then sent to districts for adjudication.

[b]Service centers did not routinely process I-485 applications until fiscal year 1997.

[c]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Applications Completed[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[b]	0	0	0	0	0	0	0
Application for adjustment of status (I-485)[c]	2,920	163	1	5,405	12,400	3,387	15,895
Application to replace permanent resident card (I-90)	216,511	184,977	140,003	89,637	58,055	68,724	361,384
Petition for nonimmigrant worker (I-129)	76,316	66,878	67,337	55,800	71,133	114,203	159,469
Petition for alien relative (I-130)	196,645	173,191	174,564	196,743	137,373	80,333	97,400
Application for travel document (I-131)	0	0	0	3,459	7,528	9,224	16,251
Immigrant petition for alien worker (I-140)d	12,544	13,104	14,573	17,073	9,951	8,229	26,404
Application to extend/change nonimmigrant status (I-539)	57,577	62,513	58,848	60,777	42,421	85,747	102,312
Petition to remove conditions on residence (I-751)	21,137	16,988	23,696	16,011	11,566	9,143	23,535
Application for employment authorization (I-765)	113,782	176,283	205,274	239,612	198,145	164,224	182,410
All other applications	19,647	27,311	29,275	33,203	26,216	14,506	26,827
Total	**717,079**	**721,408**	**713,571**	**717,720**	**574,788**	**557,720**	**1,011,887**

[a]Completed applications are the sum of approved and denied applications.

[b]N-400 applications are completed by the districts.

[c]Service centers did not routinely process I-485 applications until fiscal year 1997.

[d]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Production Goals as of April 2000

	Fiscal year	
Type of application	**1999**	**2000**
Application for naturalization (N-400)	[a]	22,000
Application for adjustment of status (I-485)	[a]	18,125

[a]Production goals were not established for service centers in fiscal year 1999.

Source: INS.

Backlog of Pending Applications at Year End

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	0	0	116,929	230,466	306,892	360,571	123,589
Application for adjustment of status (I-485)[b]	168	0	0	15,129	14,580	23,354	21,940
Application to replace permanent resident card (I-90)	45,159	55,571	23,211	10,972	34,281	62,725	139,379
Petition for nonimmigrant worker (I-129)	1,272	3,761	4,434	11,652	16,857	17,209	27,554
Petition for alien relative (I-130)	15,827	37,581	42,125	52,592	118,090	166,217	204,507
Application for travel document(I-131)	0	0	0	362	3,233	6,446	6,476
Immigrant petition for alien worker (I-140)[c]	1,034	2,783	3,597	2,971	7,815	21,987	19,845
Application to extend/change nonimmigrant status (I-539)	5,757	6,079	5,327	9,461	32,567	114,261	120,694
Petition to remove conditions on residence (I-751)	143	2,967	748	511	7,704	17,255	15,513
Application for employment authorization (I-765)	16,959	27,004	34,381	13,482	27,972	69,120	68,529
All other applications	86,319	135,746	230,752	347,598	569,991	859,145	748,026
Total	**90,322**	**143,937**	**239,904**	**384,847**	**605,045**	**917,662**	**793,694**

[a]Service centers did not receive N-400 applications in fiscal years 1994 and 1995.

[b]Service centers did not routinely process I-485 applications until fiscal year 1997.

[c]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Officer Workyears Spent Processing Applications[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[b]	0	0	1.3	4.2	10.7	14.1	16.7
Application for adjustment of status (I-485)[c]	2.1	0.2	0	2.3	3.2	2.6	6.0
Application to replace permanent resident card (I-90)	10.3	17.3	14.3	13.4	6.3	5.6	19.5
Petition for non-immigrant worker (I-129)	9.9	11.6	11.1	13.0	13.0	19.1	16.6
Petition for alien relative (I-130)	15.7	14.3	19.8	20.3	16.8	9.8	9.9
Application for travel document (I-131)	0	0	0	0.5	1.0	2.6	3.3
Immigrant petition for alien worker (I-140)[d]	5.0	3.6	4.6	4.7	4.1	5.8	9.9
Application to extend/change nonimmigrant status (I-539)	6.1	4.9	5.7	5.0	5.5	3.8	4.8
Petition to remove conditions on residence (I-751)	1.6	1.7	2.5	1.4	1.2	0.7	1.3
Application for employment authorization (I-765)	6.1	13.6	22.0	20.1	15.6	12.9	13.3
All other applications	12.9	7.0	14.2	14.3	6.8	4.6	3.9
Total	**69.6**	**74.1**	**95.5**	**99.4**	**84.1**	**81.6**	**105.1**

[a]Includes adjudications officers' overtime, but not officers' administrative activities (such as training or leave). Also does not always include INS officers, such as inspectors, detailed to the Adjudications and Naturalization program because INS does not collect these data.

[b]Service centers did not receive N-400 applications in fiscal years 1994 and 1995.

[c]Service centers did not routinely process I-485 applications until fiscal year 1997.

[d]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Amount of Funds Spent on Overtime (in dollars)

Fiscal year	1994	1995	1996	1997	1998	1999	2000
Amount expended	$171,345	$473,571	$820,381	$755,620	$676,594	$420,891	$1,892,052

Source: INS.

Onboard Adjudications Staff[a]

	Fiscal year						
Type of position	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Permanent officer[b]	N/A	116	106	103	111	108	114
Temporary officer[c]	N/A	0	0	0	0	0	1
Permanent clerical	N/A	107	103	109	5	146	146
Temporary clerical[c]	N/A	4	0	7	10	7	60
Contractor clerical	N/A	N/A	394	394	516	513	543
Total	**N/A**	**227**	**605**	**613**	**642**	**774**	**864**

[a]Staff onboard as of the end of each fiscal year.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes term (up to 4 years) appointments, rehired annuitants, and temporary (up to 2 years) appointments. The majority of the temporary officers were assigned to districts.

Source: INS.

Date Applications Being Processed in September 2000 Were Received

Type of application	Date received
Application for naturalization (N-400)	[a]
Application for adjustment of status (I-485)	July 1999
Application to replace permanent resident card (I-90)	August 2000
Petition for nonimmigrant worker (I-129)	September 2000
Petition for alien relative (I-130)	August 2000
Application for travel document (I-131)	September 2000
Immigrant petition for alien worker (I-140)	July 2000
Application to extend/change nonimmigrant status (I-539)	December 1999
Petition to remove conditions on residence (I-751)	February 1999
Application for employment authorization (I-765)	August 2000

[a]Service centers do not adjudicate naturalization applications.

Source: INS.

Estimated Processing Time Based on the Last 3 Months of FY 1996-2000 (in months)

	Fiscal year				
Type of application	1996	1997	1998	1999	2000
Application for naturalization (N-400)	[a]	[a]	[a]	[a]	[a]
Application for adjustment of status (I-485)	0[b]	21	11	173	7

[a]Naturalization applications are completed at the districts and not at the service centers.

[b]Service centers did not routinely process I-485 applications until fiscal year 1997.

Source: GAO analysis of INS data.

Table 10: Vermont Service Center

Applications Received

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	0	0	156,737	211,221	207,752	203,186	145,033
Application for adjustment of status (I-485)[b]	11,806	11,969	13,482	41,040	43,428	41,394	46,742
Application to replace permanent resident card (I-90)	182,210	141,075	194,054	180,955	158,594	105,623	127,586
Petition for non-immigrant worker (I-129)	117,241	123,198	97,330	59,760	61,551	59,378	51,536
Petition for alien relative (I-130)	124,251	150,682	191,500	199,230	201,810	215,476	214,026
Application for travel document (I-131)	137,525	112,793	114,234	133,454	164,703	196,855	247,094
Immigrant petition for alien worker (I-140)[c]	0	7	18	3,132	7,182	13,705	21,167
Application to extend/change nonimmigrant status (I-539)	79,014	58,465	61,226	67,690	74,677	82,742	91,110
Petition to remove conditions on residence (I-751)	21,007	21,702	25,421	26,570	27,809	30,119	35,621
Application for employment authorization (I-765)	33,212	33,944	40,577	32,685	42,666	40,537	40,832
Total	**730,027**	**673,080**	**916,952**	**992,781**	**1,029,510**	**1,041,592**	**1,041,592**

[a]Service centers did not receive N-400 applications in fiscal years 1994 and 1995. In fiscal year 1996, some N-400 applications started to be directly mailed to service centers for initial processing, then sent to districts for adjudication. In fiscal years 1996 through 1998, N-400 applications received by INS were not consistently recorded or processed at the service centers or districts, according to INS officials. For fiscal years 1999 and 2000, all naturalization applications were received by the service centers and then sent to districts for adjudication.

[b]The Vermont Service Center processed only the Baltimore District I-485 applications from fiscal years 1994 through 1996. Service centers did not routinely process I-485 applications until fiscal year 1997.

[c]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Applications Completed[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[b]	0	0	0	0	0	0	0
Application for adjustment of status (I-485)[c]	16,139	6,246	5,815	9,184	15,638	17,243	22,874
Application to replace permanent resident card (I-90)	135,716	164,965	214,856	212,768	141,775	90,193	50,279
Petition for nonimmigrant worker (I-129)	65,081	106,282	177,453	54,845	25,796	63,627	110,698
Petition for alien relative (I-130)	127,422	158,050	176,452	188,482	207,714	169,185	198,668
Application for travel document (I-131)	145,866	107,981	119,072	134,178	147,545	205,200	244,028
Immigrant petition for alien worker (I-140)[d]	0	0	0	2,466	5,988	11,078	21,588
Application to extend/change nonimmigrant status (I-539)	88,846	54,898	67,635	59,558	63,958	69,561	68,842
Petition to remove conditions on residence (I-751)	26,910	25,244	25,622	26,206	20,906	23,581	34,369
Application for employment authorization (I-765)	23,834	29,071	30,768	28,065	22,496	25,430	17,492
All other applications	629,814	652,737	817,673	715,752	651,816	675,098	768,838
Total	**652,779**	**672,640**	**841,042**	**738,691**	**672,451**	**696,954**	**796,940**

[a]Completed applications are the sum of approved and denied applications.

[b]N-400 applications are adjudicated by the districts.

[c]Service centers did not routinely process I-485 applications until fiscal year 1997.

[d]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Production Goals as of April 2000

	Fiscal year	
Type of application	**1999**	**2000**
Application for naturalization (N-400)	[a]	22,000
Application for adjustment of status (I-485)	[a]	17,125

[a]Production goals were not established for service centers in fiscal year 1999.

Source: INS.

Backlog of Pending Applications at Year End

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	0	0	100,326	210,540	341,428	288132	160,628
Application for adjustment of status (I-485)[b]	2,491	31	19,248	33,398	39,357	45,366	32,882
Application to replace permanent resident card (I-90)	81,739	56,184	32,814	29,631	45,045	58,731	147,128
Petition for nonimmigrant worker (I-129)	64,887	81,438	267	10,376	47,399	42,960	18,011
Petition for alien relative (I-130)	13,792	4,082	13,632	18,384	3,083	41,087	43,296
Application for travel document (I-131)	7,140	11,669	6,341	5,461	21,949	13,067	25,046
Immigrant petition for alien worker (I-140)[c]	0	3	7	273	1,063	3,320	1,477
Application to extend/change nonimmigrant status (I-539)	4,216	7,846	1,491	9,790	20,575	33,776	32,124
Petition to remove conditions on residence (I-751)	4,043	86	2	127	6,522	12,739	16,896
Application for employment authorization (I-765)	12,461	12,435	17,148	20,888	36,504	38,033	41,193
All other applications	5,179	2,910	2,144	9,052	16,148	38,381	10,192
Total	**195,948**	**176,684**	**174,214**	**334,193**	**575,954**	**621,554**	**555,071**

[a]Service centers did not receive N-400 applications in fiscal years 1994 and 1995.

[b]Service centers did not routinely process I-485 applications until fiscal year 1997.

[c]Service centers did not begin to process I-140 applications until fiscal year 1997.

Source: INS Performance Analysis System data.

Officer Workyears Spent Processing Applications

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[b]	0	0	5.7	0	5.3	1.7	20.1
Application for adjustment of status (I-485)[c]	2.4	1.6	1.3	2.5	3.2	4.2	5.5
Application to replace permanent resident card (I-90)	7.5	12.0	16.3	6.7	2.2	6.4	11.2
Petition for nonimmigrant worker (I-129)	16.4	12.0	16.3	6.7	2.2	6.4	11.2
Petition for alien relative (I-130)	15.1	18.3	21.1	23.8	12.5	9.6	5.9
Application for travel document (I-131)	0	0	0	0.3	0.4	0.2	0.3
Immigrant petition for alien worker (I-140)[d]	2.9	2.8	2.5	3.0	2.9	3.8	4.8
Application to extend/change nonimmigrant status (I-539)	10.0	6.0	6.2	6.7	6.9	3.3	3.8
Petition to remove conditions on residence (I-751)	2.5	3.7	3.4	3.2	1.5	2.2	1.9
Application for employment authorization (I-765)	14.6	17.8	17.1	21.4	21.9	21.4	24.2
All other applications	3.0	2.6	2.4	3.2	3.6	4.2	12.8
Total	74.4	76.8	87.3	85.8	76.1	82.9	121.7

[a]Includes adjudications officers' overtime, but not officers' administrative activities (such as training or leave). Also, does not always include INS officers, such as inspectors, detailed to the Adjudications and Naturalization program because INS does not collect these data.

[b]Service centers did not receive N-400 applications in fiscal years 1994 and 1995.

[c]Service centers did not routinely process I-485 applications until fiscal year 1997.

[d]Service centers did not begin to process I-140 applications until fiscal year 1997. INS officials told us that officer time in fiscal years 1994 through 1996 were an anomaly.

Source: INS Performance Analysis System data.

Amount of Funds Spent on Overtime (in dollars)

Fiscal year	1994	1995	1996	1997	1998	1999	2000
Amount expended	$192,780	$422,711	$412,497	$255,725	$484,414	$554,014	$1,518,265

Source: INS.

Onboard Adjudications Staff[a]

	Fiscal year						
	1994	1995	1996	1997	1998	1999	2000
Type of position							
Permanent officer[b]	N/A	128	133	133	140	153	150
Temporary officer[c]	N/A	0	0	0	0	0	3
Permanent clerical	N/A	107	108	107	113	141	137
Temporary clerical[c]	N/A	4	9	15	11	6	8
Contractor clerical	N/A	N/A	295	301	234	462	447
Total	**N/A**	**239**	**545**	**556**	**498**	**762**	**745**

[a]Staff onboard as of the end of each fiscal year.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes term (up to 4 years) appointments, rehired annuitants, and temporary (up to 2 years) appointments. The majority of the temporary officers were assigned to districts.

Source: INS.

Date Applications Being Processed in September 2000 Were Received

Type of application	Date received
Application for naturalization (N-400)	[a]
Application for adjustment of status (I-485)	August 1999
Application to replace permanent resident card (I-90)	September 2000
Petition for non-immigrant worker (I-129)	August 2000
Petition for alien relative (I-90)	April 2000
Application for travel document (I-131)	September 2000
Immigrant petition for alien worker (I-140)	July 2000
Application to extend/change nonimmigrant status (I-539)	August 2000
Petition to remove conditions on residence (I-751)	January 2000
Application for employment authorization (I-765)	September 2000

[a]Service centers do not adjudicate naturalization applications.

Source: INS.

Estimated Processing Time Based on the Last 3 Months of FY 1996 -2000 (in months**)**

	Fiscal year				
Type of application	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	[a]	[a]	[a]	[a]	[a]
Application for adjustment of status (I-485)	0[b]	10	31	133	15

[a]N-400 applications are completed at the districts and not at the service centers.

[b]Service centers did not routinely process I-485 applications until fiscal year 1997.

Source: GAO analysis of INS data.

Table 11: Chicago District

Applications Received

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	21,561	54,258	35,469	5,183	1,241	0	0
Application for adjustment of status (I-485)[b]	13,090	24,951	44,963	42,506	25,476	25,128	16,563
Application to replace permanent resident card (I-90)	12,530	7,954	9,921	7,394	7,456	10,109	31,649
Petition for nonimmigrant worker (I-129)[c]	3	0	0	3	0	0	0
Petition for alien relative (I-130)	4,966	5,077	6,477	10,500	10,134	7,497	13,480
Application for travel document (I-131)	2,432	2,863	5,426	10,376	13,911	9,563	7,943
Immigrant petition for alien worker (I-140)[c]	2	0	2	0	0	0	0
Application to extend/change nonimmigrant status (I-539)	257	173	349	295	166	264	538
Petition to remove conditions on residence (I-751)	60	39	47	962	1,672	415	37
Application for employment authorization (I-765)	15,544	22,146	20,225	34,980	37,486	37,079	32,853
All other applications	7,667	8,794	9,356	15,934	7,869	8,220	9,244
Total	**78,112**	**126,255**	**132,235**	**128,133**	**105,411**	**98,275**	**112,307**

[a]Districts received and completed N-400 applications in fiscal years 1994 and 1995. In fiscal year 1996, some N-400 applications started to be directly mailed to service centers for initial processing, then sent to districts for adjudication. In fiscal years 1996 through 1998, N-400 applications received by INS were not consistently recorded or processed at the service centers or districts, according to INS officials. For fiscal years 1999 and 2000, all naturalization applications were received by the service centers and then sent to districts for adjudication.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Applications Completed[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	22,493	24,803	67,173	43,437	30,234	62,716	70,021
Application for adjustment of status (I-485)[b]	16,478	21,178	32,064	31,420	20,801	20,430	20,074
Application to replace permanent resident card (I-90)	15	4	7	3,973	6,729	4,348	0
Petition for nonimmigrant worker (I-129)[c]	3	0	0	2	0	0	0
Petition for alien relative (I-130)	5,098	3,752	6,184	9,227	8,949	7,169	3,388
Application for travel document (I-131)	2,367	3,042	5,417	9,917	14,188	9,446	7,229
Immigrant petition for alien worker (I-140)[c]	2	0	2	0	0	0	0
Application to extend/change nonimmigrant status (I-539)	207	428	513	1,004	1,065	1,076	1,210
Petition to remove conditions on residence (I-751)	2,596	2,810	3,381	2,517	2,231	2,639	1,622
Application for employment authorization (I-765)	14,574	20,713	19,578	34,018	37,257	37,524	31,712
All other applications	3,937	4,158	3,869	11,177	5,907	6,010	11,283
Total	**67,770**	**80,888**	**138,188**	**146,692**	**127,361**	**151,358**	**146,539**

[a]Completed applications are the sum of approved and denied applications.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these applications. They were sent to service centers for processing.

Source: INS.

Production Goals

	Fiscal year	
Type of application	**1999**	**2000**
Application for naturalization (N-400)	58,991	62,157
Application for adjustment of status (I-485)	[a]	18,954

[a]INS did not establish production goals for I-485 applications in fiscal year 1999.

Source: INS.

Backlog of Pending Applications at Year End

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	10,665	40,744	21,576	25,895	26,464	17,071	24,530
Application for adjustment of status (I-485)[a]	2,858	6,526	19,248	33,398	39,357	45,366	32,882
Application to replace permanent resident card (I-90)	0	0	0	588	517	0	835
Petition for nonimmigrant worker (I-129)[b]	0	0	0	0	0	0	26
Petition for alien relative (I-130)	781	2,352	2,937	2,517	3,348	3,581	13,746
Application for travel document (I-131)	59	0	0	419	0	22	64
Immigrant petition for alien worker (I-140)[b]	1	0	1	0	0	0	9
Application to extend/change nonimmigrant status (I-539)	0	0	3	0	0	0	7
Petition to remove conditions on residence (I-751)	73	99	99	79	254	581	918
Application for employment authorization (I-765)	25	24	255	795	3,885	3,407	3,714
All other applications	1,594	1,590	1,855	6,012	7,539	10,045	7,723
Total	**16,056**	**51,335**	**45,974**	**69,703**	**81,364**	**80,073**	**84,454**

[a]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing and adjudication.

[b]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Officer Workyears Spent Processing Applications[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	9.6	10.9	30.0	37.6	19.9	33.7	39.2
Application for adjustment of status (I-485)[b]	6.4	6.6	13.5	19.1	16.2	9.4	11.3
Application to replace permanent resident card (I-90)	[d]	[d]	[d]	1.1	3.0	1.3	0.9
Petition for nonimmigrant worker (I-129)[c]	[d]	0	0	[d]	0	0	0
Petition for alien relative (I-130)	2.1	1.9	2.1	4.0	3.7	4.5	1.6
Application for travel document (I-131)	0.2	0.2	0.3	2.9	4.9	2.6	1.4
Immigrant petition for alien worker (I-140)[c]	[d]	0	[d]	[d]	0	0	0
Application to extend/change nonimmigrant status (I-539)	0.1	0.1	0.1	0.3	0.2	0.2	0.2
Petition to remove conditions on residence (I-751)	1.1	1.0	1.1	0.9	1.1	1.1	0.7
Application for employment authorization (I-765)	1.5	1.5	1.3	0.7	1.9	2.3	2.5
All other applications	3.7	3.0	3.3	6.5	4.1	4.3	6.1
Total	**24.7**	**25.2**	**51.8**	**73.1**	**55.0**	**59.4**	**63.8**

[a]Includes adjudications officers' overtime, but not officers' administrative activities (such as training or leave). Also does not include INS officers, such as inspectors, detailed to the Adjudications and Naturalization program because INS does not collect these data.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely process these petitions. They were sent to service centers for processing.

[d]Less than 20 officer hours.

Source: INS Performance Analysis System data.

Amount of Funds Spent on Overtime (in dollars)

Fiscal year	1994	1995	1996	1997	1998	1999	2000
Amount expended	$34,125	$106,377	$383,211	$303,269	$350,334	$345,035	$309,778

Source: INS.

Onboard Adjudications Staff[a]

	Fiscal year						
Type of position	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Permanent officer[b]	N/A	39	48	43	47	62	67
Temporary officer[c]	N/A	0	38	28	25	33	29
Permanent clerical	N/A	21	22	22	21	21	18
Temporary clerical[c]	N/A	1	29	24	24	19	20
Contractor clerical	N/A	N/A	N/A	N/A	N/A	14	17
Total	**N/A**	**61**	**137**	**117**	**117**	**149**	**151**

[a]Staff onboard as of the end of each fiscal year.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes term (up to 4 years) appointments, rehired annuitants, and temporary (up to 2 years) appointments.

Source: INS.

Number of Pending Naturalization Cases Submitted Before July 1998

Type of application	As of September 27, 2000	As of December 1, 2000	As of March 1 , 2001
Application for naturalization (N-400)	7,653	6,961	4,560

Source: INS.

Age of Cases Being Processed in September 2000

Type of application	Months
Application for naturalization (N-400)	15
Application for adjustment of status (I-485)	24
Application for travel document (I-131)	1
Petition to classify orphan as an immediate relaitve (I-600 and I-600A)	a
Application for employment authorization (I-765)	2
Application for certification of citizenship (N-600)	27

Note: Includes cases processed by the district office and does not include cases processed by the suboffices.

[a]The Chicago District Office does not process I-600 petitions.

Source: INS.

Estimated Processing Time Based on the Last 3 Months of FY1996-2000 (in months)

	Fiscal year				
Type of application	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	2	11	7	3	3
Application for adjustment of status (I-485)	5	13	22	25	17

Source: GAO analysis of INS Performance Analysis System data.

Table 12: Houston District

Applications Received

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	15,523	31,142	30,413	21,350	47,585	0	7
Application for adjustment of status (I-485)[b]	8,193	15,564	18,582	23,525	12,052	9,340	9,713
Application to replace permanent resident card (I-90)	1,382	6	557	135	2	34	21,965
Petition for nonimmigrant worker (I-129)[c]	40	0	49	4	0	0	1
Petition for alien relative (I-130)	3,013	4,163	7,099	13,757	5,978	3,289	4,345
Application for travel document (I-131)	1,977	1,365	7,769	18,035	15,571	18,052	15,308
Immigrant petition for alien worker (I-140)[c]	186	27	0	19	3	0	14
Application to extend/change nonimmigrant status (I-539)	540	384	137	209	190	157	75
Petition to remove conditions on residence (I-751)	1,050	913	656	716	1,163	759	566
Application for employment authorization (I-765)	4,103	2,292	9,240	18,711	21,380	21,323	23,060
All other applications	1,898	1,385	1,567	7,662	5,902	4,925	4,063
Total	**37,905**	**57,241**	**76,069**	**104,123**	**109,826**	**57,879**	**79,117**

[a]Districts received and completed N-400 applications in fiscal years 1994 and 1995. In fiscal year 1996, some N-400 applications started to be directly mailed to service centers for initial processing, then sent to districts for adjudication. In fiscal years 1996 through 1998, N-400 applications received by INS were not consistently recorded or processed at the service centers or districts, according to INS officials. For fiscal years 1999 and 2000, all naturalization applications were received by the service centers and then sent to districts for adjudication.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Applications Completed[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	10,243	14,772	32,512	18,372	10,760	33,546	39,202
Application for adjustment of status (I-485)[b]	7,578	5,468	11,099	10,875	4,944	6,533	6,738
Application to replace permanent resident card (I-90)	1381	21	557	132	2	16	5
Petition for nonimmigrant worker (I-129)[c]	40	0	36	4	0	0	0
Petition for alien relative (I-130)	2739	1668	2579	3090	2039	3281	3077
Application for travel document (I-131)	1956	1362	7766	18034	15532	18077	12696
Immigrant petition for alien worker (I-140)[c]	156	27	0	15	21	0	1
Application to extend/change nonimmigrant status (I-539)	543	384	144	209	190	157	75
Petition to remove conditions on residence (I-751)	839	866	962	676	604	747	315
Application for employment authorization (I-765)	5527	3039	9565	14204	22593	26826	20727
All other applications	1,668	916	703	7,426	5,236	4,900	4,205
Total	**32,670**	**28,523**	**65,923**	**73,037**	**61,921**	**94,083**	**87,041**

[a]Completed applications are the sum of approved and denied applications.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Production Goals

	Fiscal year	
Type of application	**1999**	**2000**
Application for naturalization (N-400)	29,740	36,726
Application for adjustment of status (I-485)	[a]	6,497

[a]INS did not establish production goals for I-485 applications in fiscal year 1999.

Source: INS.

Backlog of Pending Applications at Year End

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	8,536	22,807	20,014	24,345	61,770	32,904	19,836
Application for adjustment of status (I-485)[a]	2,629	12,724	19,718	32,368	39,498	42,383	43,027
Application to replace permanent resident card (I-90)	15	0	0	3	3	5	6,871
Petition for nonimmigrant worker (I-129)[b]	0	0	13	13	13	13	2
Petition for alien relative (I-130)	1,241	3,877	8,188	18,939	23,009	22,995	20,618
Application for travel document (I-131)	0	3	0	1	40	10	1,235
Immigrant petition for alien worker (I-140)[b]	18	18	18	22	4	4	17
Application to extend/change nonimmigrant status (I-539)	7	7	0	0	0	0	4
Petition to remove conditions on residence (I-751)	408	455	0	85	644	648	201
Application for employment authorization (I-765)	747	0	0	4,507	3,294	1,791	2,136
All other applications	750	1,059	1,914	2,223	2,893	2,921	2,428
Total	**14,351**	**40,950**	**49,865**	**82,506**	**131,168**	**103,674**	**96,375**

[a]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[b]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Officer Workyears Spent Processing Applications[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	4.0	4.1	5.8	8.3	7.3	13.6	19.5
Application for adjustment of status (I-485)[b]	2.9	2.1	3.4	4.2	3.2	2.5	2.5
Application to replace permanent resident card (I-90)	0.2	[d]	0.1	0.1	[d]	[d]	1.6
Petition for nonimmigrant worker (I-129)[c]	[d]	0	[d]	[d]	[d]	0	0
Petition for alien relative (I-130)	1.2	0.7	1.1	1.4	1.5	1.9	1.6
Application for travel document (I-131)	0.7	0.5	0.6	0.9	2.2	1.5	1.4
Immigrant petition for alien worker (I-140)[c]	0.1	[d]	[d]	[d]	[d]	0	[d]
Application to extend/change nonimmigrant status (I-539)	0.1	0.1	[d]	0.1	0.1	0.1	0.1
Petition to remove conditions on residence (I-751)	0.4	0.3	0.6	0.4	0.4	0.4	0.2
Application for employment authorization (I-765)	1.4	0.7	1.0	0.7	0.5	1.2	1.5
All other applications	3.4	2.4	1.8	1.6	1.1	1.0	1.3
Total	**14.3**	**11.0**	**14.5**	**17.6**	**16.5**	**22.1**	**29.7**

[a]Includes adjudications officers' overtime, but not officers' administrative activities (such as training or leave). Also does not always include INS officers, such as inspectors, detailed to the Adjudications and Naturalization program because INS does not collect these data.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

[d]Less than 20 officer hours.

Source: INS Performance Analysis System data.

Amount of Funds Spent on Overtime (in dollars)

Fiscal year	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Amount expended	$36,172	$139,878	$321,968	$334,670	$311,121	$238,779	$398,565

Source: INS.

Onboard Adjudications Staff[a]

	Fiscal year						
Type of position	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Permanent officer[b]	N/A	28	28	28	36	37	41
Temporary officer[c]	N/A	0	7	7	9	15	9
Permanent clerical	N/A	10	10	10	14	15	15
Temporary clerical[c]	N/A	1	18	12	1	5	4
Contractor clerical	N/A	N/A	N/A	N/A	N/A	8	11
Total	**N/A**	**39**	**63**	**57**	**60**	**80**	**80**

[a]Staff onboard as of the end of each fiscal year.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes term (up to 4 years) appointments, rehired annuitants, and temporary (up to 2 years) appointments.

Source: INS.

Number of Pending Naturalization Cases Submitted Before July 1998

Type of application	As of September 27,2000	As of December 1, 2000	As of March 1, 2001
Application for naturalization (N-400)	11,000	5,023	3,470

Source: INS.

Age of Cases Being Processed in September 2000

Type of application	Months
Application for naturalization (N-400)	14
Application for adjustment of status (I-485)	30
Application for travel document (I-131)	1
Petition to classify orphan as an immediate relative (I-600 and I-600A)	4
Application for employment authorization (I-765)	3
Application for certification of citizenship (N-600)	12

Source: INS.

Estimated Processing Time Based on the Last 3 Months of FY 1996-2000 (in months)

	Fiscal year				
Type of application	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	4	45	77	7	4
Application for adjustment of status (I-485)	26	185	145	93	52

Source: GAO analysis of INS Performance Analysis System data.

Table 13: Los Angeles District

Applications Received

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	115,055	253,523	125,911	111,169	36,544	63	17
Application for adjustment of status (I-485)[b]	30,683	91,394	79,205	76,097	67,329	26,924	48,706
Application to replace permanent resident card (I-90)	0	0	0	3,326	9	34,128	116,988
Petition for nonimmigrant worker (I-129)[c]	0	0	1	0	0	0	82
Petition for alien relative (I-130)	8,037	11,672	11,464	28,421	22,360	7,706	20,318
Application for travel document (I-131)	19,025	11,172	26,170	25,324	16,992	25,240	20,711
Immigrant petition for alien worker (I-140)[c]	0	0	78	75	2	0	222
Application to extend/change nonimmigrant status (I-539)	1,292	653	647	91	0	1,308	2,529
Petition to remove conditions on residence (I-751)	25	211	57	888	19	291	690
Application for employment authorization (I-765)	35,018	15,461	10,706	72,740	77,015	147,120	144,780
All other applications	8,086	7,382	9,854	18,967	11,172	16,556	17,549
Total	**217,221**	**391,468**	**264,093**	**337,098**	**231,442**	**259,336**	**372,592**

[a]Districts received and completed N-400 applications in fiscal years 1994 and 1995. In fiscal year 1996, some N-400 applications started to be directly mailed to service centers for initial processing, then sent to districts for adjudication. In fiscal years 1996 through 1998, N-400 applications received by INS were not consistently recorded or processed at the service centers or districts, according to INS officials. For fiscal years 1999 and 2000, all naturalization applications were received by the service centers and then sent to districts for adjudication.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Applications Completed[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	65,712	91,048	353,585	133,518	109,461	301,318	278,112
Application for adjustment of status (I-485)[b]	36,081	40,232	48,492	48,373	52,588	42,713	81,176
Application to replace permanent resident card (I-90)	9	1	55	1,653	426	420	1,982
Petition for nonimmigrant worker (I-129)[c]	0	0	0	0	0	0	73
Petition for alien relative (I-130)	10,593	11,187	11,533	12,445	15,308	11,740	16,619
Application for travel document (I-131)	18,481	10,395	26,460	34,859	33,754	24,806	17,086
Immigrant petition for alien worker (I-140)[c]	0	8	92	65	9	0	11
Application to extend/change nonimmigrant status (I-539)	1,033	570	631	672	752	2,015	2,516
Petition to remove conditions on residence (I-751)	3,346	3,039	3,316	2,079	1,979	2,087	869
Application for employment authorization (I-765)	33,069	12,149	9,680	40,914	93,554	147,634	129,912
All other applications	8,133	8,338	8,770	14,131	9,118	10,818	14,520
Total	**176,457**	**176,967**	**462,614**	**288,709**	**316,949**	**543,551**	**542,876**

[a]Completed applications are the sum of approved and denied applications.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Production Goals

	Fiscal year	
Type of application	**1999**	**2000**
Application for naturalization (N-400)	258,000	261,542
Application for adjustment of status (I-485)	[a]	83,002

[a]INS did not establish production goals for I-485 applications in fiscal year 1999.

Source: INS.

Application Backlog Pending at the End of the Year

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	78,972	221,962	21,070	152,473	212,835	74,366	75,706
Application for adjustment of status (I-485)[a]	25,611	70,467	98,049	125,727	143,403	122,314	123,800
Application to replace permanent resident card (I-90)	1	3	3	4,157	4,460	4,895	1,750
Petition for nonimmigrant worker (I-129)[b]	0	0	0	0	0	0	38
Petition for alien relative (I-130)	7,411	7,850	9,465	27,156	36,066	32,808	33,130
Application for travel document (I-131)	43	535	124	4,346	4,929	5,330	2,848
Immigrant petition for alien worker (I-140)[b]	0	1	24	77	62	62	35
Application to extend/change nonimmigrant status (I-539)	28	10	10	10	12	12	141
Petition to remove conditions on residence (I-751)	1,542	1,274	940	490	992	886	2,760
Application for employment authorization (I-765)	168	31	1,366	48,838	27,821	1,562	5,685
All other applications	2,802	1,677	2,032	3,891	10,295	14,236	25,556
Total	**116,578**	**303,810**	**133,083**	**367,165**	**440,875**	**256,471**	**271,449**

[a]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing and adjudication.

[b]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Officer Workyears Spent Processing Applications[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	18.5	27.0	72.3	61.3	94.0	149.8	112.6
Application for adjustment of status (I-485)[b]	11.2	14.3	21.3	63.4	67.1	48.9	39.7
Application to replace permanent resident card (I-90)	[d]	0	[d]	0.7	0.7	9.5	5.1
Petition for nonimmigrant worker (I-129)[c]	0	0.3	[d]	[d]	0	0	0
Petition for alien relative (I-130)	5.1	5.9	5.7	7.6	8.1	5.2	5.2
Application for travel document (I-131)	3.1	1.6	2.0	2.5	2.8	2.8	2.5
Immigrant petition for alien worker (I-140)[c]	0	[d]	0.4	0.1	[d]	0	[d]
Application to extend/change nonimmigrant status (I-539)	0.5	0.2	0.4	0.5	0.9	0.8	0.8
Petition to remove conditions on residence (I-751)	4.0	4.1	3.2	1.9	2.0	1.8	0.8
Application for employment authorization (I-765)	6.0	1.0	1.1	1.5	2.5	5.0	1.4
All other applications	16.1	14.6	14.0	11.5	5.7	6.1	8.7
Total	**64.5**	**68.9**	**120.4**	**151.1**	**183.8**	**229.8**	**176.7**

[a]Includes adjudications officers' overtime, but not officers' administrative activities (such as training or leave). Also does not always include INS officers, such as inspectors, detailed to the Adjudications and Naturalization program because INS does not collect these data.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

[d]Less than 20 officer hours.

Source: INS Performance Analysis System data.

Amount of Funds Spent on Overtime (in dollars)

Fiscal year	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Amount expended	$114,767	$724,829	$2,340,033	$1,696,140	$2,219,541	$1,831,409	$2,452,838

Source: INS.

Onboard Adjudications Staff[a]

	Fiscal year						
Type of position	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Permanent officer[b]	N/A	126	158	170	202	206	234
Temporary officer[c]	N/A	0	132	108	113	135	95
Permanent clerical	N/A	128	118	122	123	123	118
Temporary clerical[c]	N/A	12	121	128	133	129	106
Contractor clerical	N/A	N/A	N/A	N/A	N/A	75	64
Total	**N/A**	**266**	**529**	**528**	**571**	**668**	**617**

[a]Staff onboard as of the end of each fiscal year.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes term (up to 4 years) appointments, rehired annuitants, and temporary (up to 2 years) appointments. The majority of the temporary officers were assigned to districts.

Number of Pending Naturalization Cases Submitted Before July 1998

	As of September 27, 2000	As of December 1, 2000	As of March 1, 2001
Application for naturalization (N-400)	28,266	26,477	15,280

Source: INS.

Age of Cases Being Processed in September 2000

Type of application	Months
Application for naturalization (N-400)	32
Application for adjustment of status (I-485)	36
Application for travel document (I-131)	2
Petition to classify orphan as an immediate relative (I-600 and I-600A)	14
Application for employment authorization (I-765)	3
Application for certification of citizenship (N-600)	24

Note: Includes cases processed by the district office and does not include cases processed by the suboffices.

Source: INS.

Estimated Processing Time Based on the Last 3 Months of FY 1996-2000 (in months)

	Fiscal year				
Type of application	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	0	26	20	2	4
Application for adjustment of status (I-485)	18	27	39	45	15

Source: GAO analysis of INS Performance Analysis System data.

Table 14: Miami District

Applications Received

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)[a]	38,351	55,675	66,168	85	0	0	0
Application for adjustment of status (I-485)[b]	25,250	45,580	36,036	56,492	33,869	16,273	21,448
Application to replace permanent resident card (I-90)	8,131	10,761	10,961	4,807	5,044	5,321	7,314
Petition for nonimmigrant worker (I-129)[c]	4	12	27	55	2	0	0
Petition for alien relative (I-130)	10,267	13,499	16,915	27,838	21,636	11,267	9,541
Application for travel document (I-131)	2,409	1,672	3,554	7,890	9,324	8,332	9,474
Immigrant petition for alien worker (I-140)[c]	101	199	16	0	0	0	0
Application to extend/change nonimmigrant status (I-539)	465	778	823	704	471	531	400
Petition to remove conditions on residence (I-751)	2,539	2,930	910	227	77	68	51
Application for employment authorization (I-765)	44,655	51,219	48,878	61,882	52,599	58,750	68,538
All other applications	2,816	3,768	14,125	8,251	8,423	13,780	13,227
Total	**134,988**	**186,093**	**198,413**	**168,231**	**131,445**	**114,322**	**129,993**

[a]Districts received and completed N-400 applications in fiscal years 1994 and 1995. In fiscal year 1996, some N-400 applications started to be directly mailed to service centers for initial processing, then sent to districts for adjudication. In fiscal years 1996 through 1998, N-400 applications received by INS were not consistently recorded or processed at the service centers or districts, according to INS officials. For fiscal years 1999 and 2000, all naturalization applications were received by the service centers and then sent to districts for adjudication.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Applications Completed

	Fiscal year						
Type of application[a]	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	42,195	28,125	159,255	33,515	51,694	142,276	109,166
Application for adjustment of status (I-485)[b]	23,080	29,475	44,633	43,302	34,955	20,217	58,795
Application to replace permanent resident card (I-90)	103	70	687	154	13	0	13
Petition for nonimmigrant worker (I-129)[c]	0	0	3	41	3	0	0
Petition for alien relative (I-130)	9,241	11,063	16,829	22,069	20,512	8,421	9,351
Application for travel document (I-131)	2,056	1,615	3,162	8,583	9,317	7,810	9,541
Immigrant petition for alien worker (I-140)[c]	45	198	11	1	0	0	0
Application to extend/change nonimmigrant status (I-539)	434	722	820	750	546	542	334
Petition to remove conditions on residence (I-751)	3,930	4,270	5,593	3,937	4,921	4,014	4,373
Application for employment authorization (I-765)	45,712	54,397	43,652	63,363	52,811	62,686	71,193
All other applications	2,616	2,251	2,019	8,749	6,983	6,441	12,423
Total	**129,412**	**132,186**	**276,664**	**184,464**	**181,755**	**252,407**	**275,189**

[a]Completed applications are the sum of approved and denied applications.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Production Goals

	Fiscal year	
Type of application	**1999**	**2000**
Application for naturalization (N-400)	135,594	104,345
Application for adjustment of status (I-485)	[a]	59,906

[a]INS did not establish production goals for I-485 applications in fiscal year 1999.

Source: INS.

Backlog of Pending Applications at Year End

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	24,543	46,165	36,718	64,353	47,218	6,882	12,464
Application for adjustment of status (I-485)[a]	11,351	15,933	31,628	44,138	43,621	41,777	22,234
Application to replace permanent resident card (I-90)	0	0	65	0	0	257	34
Petition for nonimmigrant worker (I-129)[b]	0	0	0	0	0	0	0
Petition for alien relative (I-130)	4731	5511	5561	28605	30772	28300	8184
Application for travel document (I-131)	0	0	278	0	0	0	68
Immigrant petition for alien worker (I-140)[b]	0	0	5	0	0	0	0
Application to extend/change nonimmigrant status (I-539)	26	44	117	81	41	66	111
Petition to remove conditions on residence (I-751)	304	945	0	431	422	792	2036
Application for employment authorization (I-765)	2621	2414	7197	1618	4479	2496	8484
All other applications	1,834	2,949	7,164	9,754	9,140	15,697	13,437
Total	**45,410**	**73,961**	**88,733**	**148,980**	**135,693**	**96,267**	**67,052**

[a]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing and adjudication.

[b]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

Source: INS Performance Analysis System data.

Officer Workyears Spent Processing Applications[a]

	Fiscal year						
Type of application	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	12.8	10.7	40.9	50.6	53.9	73.5	58.3
Application for adjustment of status (I-485)[b]	12.3	14.6	23.4	27.0	26.8	15.1	28.6
Application to replace permanent resident card (I-90)	0.3	0.5	0.4	0.1	0.2	0.2	0.3
Petition for nonimmigrant worker (I-129)[c]	[d]	0	[d]	[d]	0	0	0
Petition for alien relative (I-130)	5.2	5.6	5.9	7.9	9.2	5.6	7.0
Application for travel document (I-131)	0.8	0.5	0.5	0.5	0.6	0.9	1.4
Immigrant petition for alien worker (I-140)[c]	0.1	[d]	[d]	[d]	0	0	0
Application to extend/change nonimmigrant status (I-539)	0.3	0.5	0.6	0.7	0.4	0.6	0.4
Petition to remove conditions on residence (I-751)	2.8	2.5	2.5	1.9	2.7	2.2	2.5
Application for employment authorization (I-765)	5.7	5.6	4.2	4.3	4.2	3.8	5.4
All other applications	7.1	4.8	3.9	7.3	6.6	8.7	5.3
Total	**47.5**	**45.4**	**82.3**	**100.3**	**104.5**	**110.5**	**109.2**

[a]Includes adjudications officers' overtime, but not officers' administrative activities (such as training or leave). Also does not always include INS officers, such as inspectors, detailed to the Adjudications and Naturalization program because INS does not collect these data.

[b]From fiscal years 1994 through 1996, most I-485 applications were received and processed in the districts. Beginning in fiscal year 1997, some types of I-485 applications were sent directly to service centers for processing.

[c]Districts did not routinely receive or process these petitions. They were sent to service centers for processing.

[d]Less than 20 officer hours.

Source: INS Performance Analysis System data.

Amount of Funds Spent on Overtime (in dollars)

Fiscal year	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Amount expended	$105,950	$412,563	$1,134,627	$828,174	$867,978	$824,688	$1,252,932

Source: INS.

Onboard Adjudications Staff[a]

	Fiscal year						
Type of position	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**
Permanent officer[b]	N/A	86	90	93	101	112	151
Temporary officer[c]	N/A	0	62	82	62	79	47
Permanent clerical	N/A	49	50	44	53	51	50
Temporary clerical[c]	N/A	14	71	79	44	20	20
Contractor clerical	N/A	N/A	N/A	N/A	N/A	44	45
Total	**N/A**	**149**	**273**	**298**	**260**	**306**	**313**

[a]Staff onboard as of the end of each fiscal year.

[b]Includes adjudications officers and supervisory adjudications officers.

[c]Includes term (up to 4 years) appointments, rehired annuitants, and temporary (up to 2 years) appointments.

Source: INS.

Number of Pending Naturalization Cases Submitted Before July 1998

	As of September 27, 2000	As of December 1, 2000	As of March 1, 2001
Application for naturalization (N-400)	20,556	10,178	5,087

Source: INS.

Age of Cases Being Processed in September 2000

Type of application	Months
Application for naturalization (N-400)	18
Application for adjustment of status (I-485)	15
Application for travel document (I-131)	1
Petition to classify orphan as an immediate relative (I-600 and I-600A)	3
Application for employment authorization (I-765)	3
Application for certification of citizenship (N-600)	18

Note: Includes cases processed at the district office and does not include cases processed by the suboffices.

Source: INS.

Estimated Processing Time Based on the Last 3 Months of FY 1996-2000 (in months)

	Fiscal year				
Type of application	**1996**	**1997**	**1998**	**1999**	**2000**
Application for naturalization (N-400)	2	25	6	0	1
Application for adjustment of status (I-485)	8	12	21	42	3

Source: GAO analysis of INS Performance Analysis System data.

Appendix VI: INS Valuation Study Results on Pending Application Wait Times for Selected Field Offices

Table 15: Valuation Study Results on Wait Times for Naturalization Applications (Form N-400)

	Application			
Field office	**Number pending**	**Number sampled**	**Percentage submitted before fee change[a]**	**Estimated applicants waiting at least 21 months[b]**
Service center				
California	122,857	666	30	36,857
Nebraska	59,162	843	9	5,325
Texas	89,213	842	22	19,627
Vermont	172,159	1630	14	24,102
District				
Los Angeles	75,628	1052	59	44,621
New York	40,418	538	92	37,185
Region				
Central	78,506	546	64	50,244
Eastern	103,301	700	58	59,915
Western	76,484	817	68	52,009

Note: Results as of September 30, 2000.

[a]Fee change was January 15, 1999.

[b]The sampled population consists of 5 types of pending applications in 35 INS field offices that comprise approximately 95-percent of the servicewide pending applications according to a July 14, 2000, inventory. INS designed each sample so that the margin of error for each estimate is within 5 percent at the 95-percent confidence level.

Source: INS.

Table 16: Valuation Study Results on Wait Times for Application for Adjustment of Status (Form I-485)

	Application			
Field office	Number pending	Number sampled	Percentage submitted before fee change[a]	Estimated applicants waiting at least 21 months[b]
Service center				
California	21,940	154	14	3,072
Nebraska	199,958	2,598	2	3,999
Texas	89,979	512	28	25,194
Vermont	59,080	563	6	3,545
District				
Los Angeles	123,815	1,544	39	48,288
New York	81,017	720	48	38,888
Region				
Central	161,754	1,278	35	56,614
Eastern	141,904	1,059	34	48,247
Western	121,222	1,242	33	40,003

Note: Results as of September 30, 2000.

[a]Fee change was October 13, 1998.

[b]The sampled population consists of 5 types of pending applications in 35 INS field offices that comprise approximately 95-percent of the servicewide pending applications according to a July 14, 2000, inventory. INS designed each sample so that the margin of error for each estimate is within 5 percent at the 95-percent confidence level.

Source: INS.

Table 17: Valuation Study Results on Wait Times for Application to Replace Permanent Resident Card (Form I-90)

	Application			
Field office	Number pending	Number sampled	Percentage before fee change[a]	Estimated applicants waiting at least 21 months[b]
Service center				
California	138,832	741	0	0
Nebraska	40,812	341	0	0
Texas	15,649	224	22	3,443
Vermont	17,729	221	3	532

Note: Results as of September 30, 2000.

[a]Fee change was October 13, 1998.

[b]INS designed each sample so that the margin of error for each estimate is within 5 percent at the 95-percent confidence level. INS sampled the application to replace alien registration card at the four service centers only. Because INS did not sample pending applications in the districts, the number of pending applications will be smaller than the number of pending applications in table 8.

Source: INS.

Table 18: Valuation Study Results on Wait Times for Petition for Alien Relative (Form I-130)

	Application			
Field office	**Number pending**	**Number sampled**	**Percentage submitted before fee change[a]**	**Estimated applicants waiting at least 21 months[b]**
Service center				
California	202,313	589	28	56,648
Nebraska	62,376	921	0	0
Texas	122,848	1,037	6	7,371
Vermont	145,983	1,429	7	10,219
District				
Los Angeles	33,140	509	28	9,279
New York	41,721	434	46	19,192
Region				
Central	69,961	515	38	26,585
Eastern	67,257	449	29	19,505
Western	43,693	427	36	15,729

Note: Results as of September 30, 2000.

[a]Fee change was October 13, 1998.

[b]The sampled population consists of 5 types of pending applications in 35 INS field offices that comprise approximately 95 percent of the servicewide pending applications according to a July 14, 2000, inventory. INS designed each sample so that the margin of error for each estimate is within 5 percent at the 95-percent confidence level.

Table 19: Valuation Study Results on Wait Time for Application to Extend/Change Nonimmigrant Status (Form I-539)

	Application			
Field office	**Number pending**	**Number sampled**	**Percentage before fee change[a]**	**Estimated applicants waiting at least 21 months[b]**
Service center				
California	45,105	249	4	1,804
Nebraska	8,485	234	0	0
Texas	15,214	190	0	0
Vermont	32,124	271	0	0

Note: Results as of September 30, 2000.

[a]Fee change was October 13, 1998.

[b]INS designed each sample so that the margin of error for each estimate is within 5 percent at the 95-percent confidence level. INS sampled the application to extend/change nonimmigrant status (Form I-539) at the 4 service centers only. Because INS did not sample pending applications in the districts, the number of pending applications will be smaller than the number of pending applications in table 8.

Source: INS.

Appendix VII: Comments From the Department of Justice

U.S. Department of Justice
Immigration and Naturalization Service

HQISD 110/8.1-C

Office of the Executive Associate Commissioner

425 I Street NW
Washington, DC 20536

APR 20 2001

Mr. Richard Stana
Associate Director
Administration of Justice Issues
U.S. General Accounting Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Stana:

In reference to the General Accounting Office (GAO) draft audit report entitled IMMIGRATION BENEFITS, Several Factors Impede Timeliness of Application Processing (GAO-01-488), the Immigration and Naturalization Service (INS) concurs with the report and the recommendations contained in its conclusion.

The Immigration Services Division (ISD), the unit responsible for the benefits processing within INS, is currently producing a business plan and an automation strategy that are intended to help guide improvements in the delivery of benefits. They are examining modification of existing systems to better capture processing measures, reengineering processes, building a staffing model, and studying the benefits versus cost of electronically maintaining fingerprint data and other biometrics on benefit applicants. Plans are being made to implement a review process on adjustment of status cases to assist in the creation of standard review procedures for processing of applications for employment authorization.

If you have any questions, please contact Bert Rizzo, ISD, at 202-307-8996. Thank you for the opportunity to provide comments.

Sincerely,

Michael A. Pearson
Executive Associate Commissioner
Office of Field Operations

Appendix VIII: GAO Contacts and Staff Acknowledgments

GAO Contacts

Richard M. Stana (202) 512-8777
Evi L. Rezmovic (202) 512-8777

Acknowledgments

In addition to the above, Gretchen Bornhop, Nancy Kawahara, Jennifer Kim, David Alexander, Ann H. Finley, and Jennifer Bryning made key contributions to this report.

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