



August 2021

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Actions Needed to Address Pending Caseload

GAO@100 Highlights

Highlights of [GAO-21-529](#), a report to congressional requesters

Why GAO Did This Study

USCIS is the federal agency charged with adjudicating applications and petitions for immigration benefits, such as humanitarian relief, naturalization, and employment authorization.

GAO was asked to review issues related to USCIS's caseload. This report examines (1) what USCIS data indicate about its caseload, including its pending caseload, and factors affecting it; (2) how USCIS monitors its case processing operations, including efforts to reduce its pending caseload; and (3) the extent to which USCIS has implemented workforce planning strategies to address its pending caseload. GAO analyzed USCIS documentation and data for fiscal year 2015 through the second quarter of fiscal year 2020 and interviewed officials from USCIS program offices, directorates, and eight field locations and from three external stakeholder organizations. GAO also analyzed USCIS processing time data for seven types of applications and petitions, selected based on various factors, including volume of pending caseload and benefit category.

What GAO Recommends

GAO is making six recommendations, including that USCIS develop performance measures for monitoring the timeliness of its case processing for certain forms, develop a long-term workforce plan, and identify the resources necessary to address its pending caseload. DHS concurred with five recommendations and did not concur with the recommendation that USCIS develop a long-term workforce plan. GAO continues to believe that such a plan would help USCIS better address its workforce challenges.

View [GAO-21-529](#). For more information, contact Rebecca Gambler at (202) 512-8777 or GamblerR@gao.gov.

August 2021

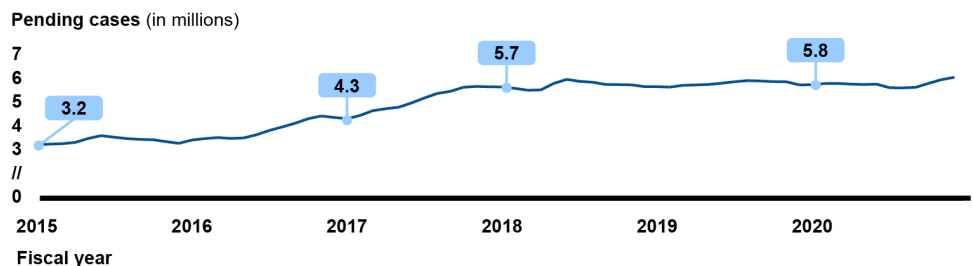
U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Actions Needed to Address Pending Caseload

What GAO Found

Data from the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS) indicate the agency's total pending caseload—the number of cases awaiting a benefit decision—grew an estimated 85 percent from fiscal years 2015 through 2020. GAO's analysis shows that, while the number of applications and petitions for immigration benefits (forms), such as humanitarian relief and naturalization, received by USCIS remained between about 8 and 10 million each fiscal year from 2015 through 2019, USCIS's median processing times—the median length of time from the date USCIS received a form to the date it rendered a decision on it—increased for six of the seven forms that GAO selected for review. USCIS officials cited several factors that contributed to longer processing times, including policy changes resulting in increases in the length of USCIS forms and expanded interview requirements; insufficient staffing levels; and suspension of in-person services due to the COVID-19 pandemic.

U.S. Citizenship and Immigration Services (USCIS) Estimated Total Pending Caseload, Fiscal Years 2015 through 2020



Source: GAO analysis of USCIS data. | GAO-21-529

USCIS monitors its operations using performance measures, including some measures related to its case processing timeliness. However, USCIS does not have these timeliness measures for four of the seven forms that GAO reviewed. Three of these four forms comprised about 41 percent of the agency's total pending caseload at the end of fiscal year 2020. Developing and implementing timeliness performance measures for certain forms, particularly those with significant pending caseloads, would provide USCIS leadership with a better understanding of areas that may require improvement.

USCIS conducts short-term workforce planning by using staffing models that estimate the volume of new forms USCIS will receive for the next 2 fiscal years and the number of staff needed to address them. USCIS has also implemented several strategic and operating plans that include workforce-related goals. However, it has not developed long-term strategies for acquiring, developing, and retaining staff. Developing a strategic workforce plan would better position USCIS to address long-term workforce challenges and reduce its growing pending caseload. USCIS has also developed four plans to reduce its pending caseload, but has not implemented or updated them to reflect funding and other resources needed to address the pending caseload. Identifying the resources necessary to address its pending caseload and providing the estimates to the Office of Management and Budget and Congress would better inform them about USCIS's resource needs.

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Abbreviations

CLAIMS	Computer Linked Adjudication Information Management System
COVID-19	Coronavirus Disease 2019
ELIS	Electronic Immigration System
DHS	Department of Homeland Security
GPRA	Government Performance and Results Act of 1993
GPRAMA	GPRA Modernization Act of 2010
OPQ	Office of Performance and Quality
USCIS	U.S. Citizenship and Immigration Services

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August 18, 2021

Congressional Requesters

Each year, the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS) processes millions of applications and petitions for persons seeking to visit the U.S. for study, work, or other temporary activities; reside in the U.S. on a permanent basis; or become U.S. citizens.¹ In recent years, Congress and stakeholders have raised questions about the size and growth of USCIS's pending caseload and the effects of its processing times on families and businesses who rely on the immigration system.²

USCIS is the federal agency charged with adjudicating applications and petitions for immigration benefits, such as humanitarian relief, adjustment to lawful permanent resident status, change or extension of nonimmigrant (i.e. temporary) status, naturalization, and employment authorization.³ USCIS classifies immigration benefits into one of four service categories: humanitarian, family-based, employment-based, and citizenship and nationality. Humanitarian benefits include programs for those present or arriving in the U.S. seeking asylum, refugees seeking resettlement in the

¹In general, an immigration "petition" is filed, using the appropriate form, by persons requesting an immigration benefit for themselves or a foreign relative, or by a U.S.-based entity requesting a benefit on behalf of an employee (beneficiary), to establish eligibility for classification as an immigrant with a path to lawful permanent residence, or a nonimmigrant for an authorized period of stay. For petition-based categories, an approved petition then allows an individual in the U.S. to submit an "application," using the appropriate form, to USCIS for permanent or temporary immigration status. For non-petition categories, a U.S.-located individual may also submit an application for immigration status. An individual located abroad would need a visa application to be approved by the Department of State to authorize them to travel to the U.S. and seek admission at a port of entry under the requested immigration status, whether or not the benefit category is petition based.

²We use the following terms for the purposes of this report. For discussing USCIS's workload, we use the term "case" to refer to a single application or petition filed by an individual. "Forms" refer to both applications and petitions. "Receipt" refers to a form submitted by an individual and received by USCIS. We use "pending caseload" to describe the total number of forms—applications and petitions—along with any supporting material, that were received by USCIS and are pending a decision.

³See 6 U.S.C. ch. 1, subch. IV, pt. E (Citizenship and Immigration Services). In particular, see 6 U.S.C. § 271 (Establishment of Bureau of Citizenship and Immigration Services). See also Name Change From the Bureau of Citizenship and Immigration Services to U.S. Citizenship and Immigration Services, 69 Fed. Reg. 60,938 (Oct. 13, 2004).

U.S. from abroad, and persons from countries designated for temporary protected status due to military conflict, natural disaster, or other country conditions. Family-based benefits allow citizens and lawful permanent residents to petition for their immediate and other eligible family members to live and work in the U.S. Employment-based benefits allow individuals and entities to petition for themselves or an employee to lawfully work or invest in the U.S. on either a temporary or permanent basis. Citizenship and naturalization benefits include certification of citizenship for individuals born abroad who claim U.S. citizenship at birth, or who seek evidence of automatically acquired citizenship after birth; and the process of naturalization whereby eligible foreign nationals may become U.S. citizens.

USCIS collects fees for processing most types of applications and petitions, which accounted for over 95 percent of its \$4.8 billion budget in fiscal year 2020.⁴ Due to the Coronavirus Disease 2019 (COVID-19) pandemic, USCIS received fewer applications causing revenues to decline in the spring of 2020, but rebounded to prepandemic levels by the end of summer 2020, according to USCIS data.⁵ Some of these revenue decreases were due to travel restrictions imposed by the U.S. and other countries following the pandemic emergency declaration, which resulted in fewer applications and petitions being received. Additionally, USCIS temporarily closed offices because of the pandemic, resulting in further decreases in fee collections.

Pending caseloads have been a long-standing challenge for USCIS. We previously reported that in fiscal year 2002, the administration at that time

⁴See 6 U.S.C. §§ 112 (functions of Secretary of Homeland Security), 271 (Establishment of Bureau of Citizenship and Immigration Services); 8 U.S.C. §§ 1103(a) (powers and duties of Secretary of Homeland Security), 1356 (disposition of moneys collected under 8 U.S.C. ch. 12, subch. II); see, in particular, § 1356(m) (immigration examinations fee account), (u) (premium fee for certain immigration benefit types); see, generally, 8 C.F.R. pts. 103 (subpt. A), 204 (subpt. A); in particular, see § 8 C.F.R. 103.7 (Fees).

⁵In addition, in 2021, USCIS received a new premium process fee authority. The Continuing Appropriations Act, 2021 and Other Extensions Act included the Emergency Stopgap USCIS Stabilization Act, Pub. L. No. 116-159, div. D, title I, 134 Stat. 709, 738-41 (2020), which allowed the Secretary of Homeland Security to establish and collect a premium fee for certain benefit types to provide premium processing services to such petitioners and applicants; make infrastructure improvements in adjudications processes and provision of information and services to benefit requestors; respond to adjudication demands, including by reducing the number of pending immigration and naturalization benefit requests; and otherwise offset the cost of providing adjudication and naturalization services.

received appropriations sufficient to fund a 5-year, \$500 million initiative to obtain a universal 6-month processing standard for all immigration benefit applications and petitions.⁶ In March 2002, USCIS published a plan (which it updated in June 2004) to reduce its pending caseload by the end of fiscal year 2006. We subsequently issued reports discussing USCIS's efforts to reduce processing times and its pending caseload. In November 2005, we reported that USCIS had reduced its pending caseload.⁷ However, since 2008, USCIS reported that its pending caseload was growing again, which it attributed to increases in receipts and increases in the number of individuals arriving at the southwest border.

You asked us to review USCIS's pending caseload. This report addresses the following questions:

1. What do USCIS data indicate about the agency's caseload, including its pending caseload, and what factors have affected it?
2. How does USCIS monitor its case processing operations, including its efforts to reduce its pending caseload?
3. To what extent has USCIS implemented workforce planning and hiring strategies that address its pending caseload?

For all three objectives, we interviewed officials from USCIS program offices and directorates, including the Office of Performance and Quality (OPQ); Office of the Chief Financial Officer; Office of Human Capital and Training; Field Operations Directorate; Service Center Operations

⁶GAO, *Immigration Benefits: Improvements Needed to Address Backlogs and Ensure Quality of Adjudications*, [GAO-06-20](#) (Washington, D.C.: Nov. 21, 2005). For further background on backlog-related appropriations for fiscal years 2002-2006, see 2002 Conference Report, H.R. Rep. No. 107-278, at 79-81 (Nov. 9, 2001), accompanying Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002, Pub. L. No. 107-77, 115 Stat. 748 (2001); 2003 Conference Report, H.R. Rep. No. 108-10, at 627 (Feb. 13, 2003), accompanying Consolidated Appropriations Resolution, 2003, Pub. L. No. 108-7, 117 Stat. 11; 2004 Conference Report, H.R. Rep. No. 108-280, at 52 (Sep. 23, 2003), accompanying Department of Homeland Security Appropriations Act, 2004, Pub. L. No. 108-90, 117 Stat. 1137 (2003); 2005 Conference Report, H.R. Rep. No. 108-774, at 73 (Oct. 9, 2004), accompanying Department of Homeland Security Appropriations Act, 2005, Pub. L. No. 108-334, 118 Stat. 1298 (2004); and 2006 Conference Report, H.R. Rep. No. 109-241, at 76 (Sep. 2005), accompanying Department of Homeland Security Appropriations Act, 2006, Pub. L. No. 109-90, 119 Stat. 2064 (2005).

⁷GAO, *Immigration Benefits: Several Factors Impede Timeliness of Application Processing*, [GAO-01-488](#) (Washington, D.C.: May 4, 2001); and [GAO-06-20](#).

Directorate; and Refugee, Asylum and International Operations Directorate. We also obtained field-level perspectives from supervisory immigration and asylum officers, immigration and asylum officers (adjudicators), and support staff in eight field offices, asylum offices, and service centers.⁸ We selected these field locations on the basis of their relatively high volume of receipts and pending cases, as well as geographic dispersion.⁹ We also interviewed representatives from three external stakeholder organizations that work directly with USCIS, applicants, and petitioners to obtain perspectives on factors that may have contributed to changes in USCIS's pending caseload or processing times. They include the American Immigration Lawyers Association; Catholic Legal Immigration Network, Inc.; and National Immigrant Justice Center. We selected these external stakeholder organizations based on the relevance of their mission and activities to our review and tenure of experience. The information we collected from interviews with USCIS field location officials and external stakeholder organizations cannot be generalized more broadly to all field locations or external stakeholder organizations but provided insights on factors contributing to USCIS's pending caseload and increased processing times, and their effect on USCIS employees, applicants, and petitioners.

To address the first objective, we obtained and analyzed USCIS's summary-level data on its total pending caseload by form-type for fiscal years 2015 through 2020, the most recent summary-level data available at the time of our review. We also obtained and analyzed USCIS record-level data from its four primary case management systems from fiscal years 2015 through the second quarter of 2020, the most recent record-level data available at the time of our review.¹⁰ The four systems included the Computer Linked Adjudication Information Management System (CLAIMS)-3, CLAIMS-4, Electronic Immigration System (ELIS), and

⁸For the purposes of this report, we refer to the field, asylum, and service center offices we selected as "field locations."

⁹We interviewed officials at the Houston Field Office, Newark Field Office, San Francisco Field Office, the National Benefits Center, Houston Asylum Office, Miami Asylum Office, New York Asylum Office, and the Nebraska Service Center.

¹⁰We coordinated our analysis of record-level data with USCIS's Office of Information Technology. Other USCIS program offices or directorates may analyze case management data differently when calculating receipts or other summary information.

Global, which collectively contained over 99 percent of USCIS's case records during this period.¹¹

We selected seven USCIS forms on which to focus our analysis of the agency's pending caseload and case processing operations. We selected these forms to reflect a range of USCIS's benefit categories and the extent to which each form contributes to USCIS's pending caseload. Collectively, the selected forms' pending caseloads comprised over 70 percent of USCIS's total pending caseload. The seven forms include the following:

- Application for Naturalization (Form N-400)
- Application to Replace Permanent Resident Card (Form I-90)
- Application to Register Permanent Residence or Adjust Status (Form I-485)
- Petition for a Nonimmigrant Worker (Form I-129)
- Petition for Alien Relative (Form I-130)
- Application for Asylum and for Withholding of Removal (Form I-589)
- Application for Employment Authorization (Form I-765)

Our analysis of USCIS's summary-level data (data compiled and reported by USCIS) included the volume of USCIS's pending caseload for all forms, including the seven selected forms. Our analysis of USCIS's record-level data included the volume and composition of USCIS's receipts and completions for all forms, including the seven selected forms. We assessed the reliability of the summary-level and record-level data by (1) performing electronic testing; (2) reviewing USCIS documentation on its case management systems; and (3) interviewing and obtaining information from USCIS officials on how the data are collected, used, and assessed for reliability. Our data reliability steps demonstrated that USCIS's record-level case completion data in CLAIMS-3 are incomplete for cases prior to fiscal year 2015, so we could not calculate USCIS's pending caseload. We discuss this data limitation later in the report. We discussed with officials USCIS's process for

¹¹USCIS decommissioned CLAIMS-4 on September 30, 2020, at which time USCIS transferred CLAIMS-4 pending cases to ELIS. Historic data from CLAIMS-4 are retained in a data repository. Two other case management systems USCIS used encompassed less than 1 percent of USCIS's fiscal year 2019 case receipts and pending caseload as of the end of fiscal year 2019.

estimating the pending caseload and determined USCIS's summary-level estimates on pending cases were sufficiently reliable to describe trends.

We determined that USCIS's record-level data on receipts, form-types, and dates for certain stages of the case process were reliable for the purposes of describing the volume and composition of USCIS's caseload and measuring the median duration of the adjudication process from beginning to end and by stages in the process, such as receipt to interview completion. We also reviewed documentation on USCIS's case management systems, and data collection and reporting efforts to assess the extent to which USCIS's data improvement efforts align with the Project Management Institute's project management principles.¹² We interviewed USCIS officials and external stakeholder organizations to identify factors contributing to USCIS's pending caseload.

To address the second objective, we reviewed USCIS policies and procedures for managing and overseeing its case processing operations, such as policies related to processing specific forms, internal management reviews, and performance management and reporting. To further assess performance management and reporting, we reviewed USCIS's strategic and operational plans and other documents to identify USCIS's performance targets related to the timeliness of case processing. We assessed how USCIS tracks and reports its progress in meeting those targets and the extent to which its performance measurement efforts related to principles from the GPRA Modernization Act of 2010 (GPRAMA).¹³ To assess USCIS's efforts to reduce the pending caseload, we reviewed agency documents and interviewed directorate-level officials about USCIS's process improvement efforts and other planned or ongoing initiatives that are intended to reduce the pending caseload. We also assessed the extent to which USCIS follows principles outlined in GPRAMA, such as monitoring for desired results, when overseeing these efforts and initiatives.

¹²Project Management Institute, *A Guide to the Project Management Body of Knowledge (PMBOK® Guide)*, 6th ed. (2017). PMBOK is a trademark of the Project Management Institute, Inc.

¹³Government Performance and Results Act of 1993 (GPRA), Pub. L. No. 103-62, 107 Stat. 285, as updated by the GPRA Modernization Act of 2010 (GPRAMA), Pub. L. No. 111-352, 124 Stat. 3866 (2011). While GPRAMA is applicable to the department or agency level, performance measures and goals are important management tools at all levels of an agency, including the program, project, or activity level.

To address the third objective, we reviewed USCIS workforce planning documents and interviewed headquarters and field location officials about USCIS's workforce strategies. We evaluated the extent to which USCIS's workforce planning strategies adhere to key principles for human capital and workforce planning.¹⁴ We evaluated the extent to which USCIS's Staffing Allocation Models incorporate key principles by evaluating the underlying data and methodologies in the model and assessing how USCIS incorporates its pending caseload, staff attrition, and hiring delays.¹⁵ We also obtained and analyzed USCIS human capital data on USCIS staffing levels from fiscal year 2015 through the second quarter of fiscal year 2020, the most recent data available at the time of our review. We assessed the reliability of these data by reviewing related documentation and interviewing knowledgeable USCIS officials on how they compile and manage human capital data. We found the data were sufficiently reliable to compare, by fiscal year, the onboard and authorized staffing levels of directorates responsible for adjudicating immigration benefits. In addition, we analyzed USCIS's plans for addressing its pending caseload and compared them to Office of Management and Budget guidance.¹⁶

We conducted this performance audit from January 2020 to August 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

¹⁴GAO, *Key Principles for Effective Strategic Workforce Planning*, [GAO-04-39](#) (Washington, D.C.: Dec. 11, 2003).

¹⁵We identified these key principles for staffing models in previous GAO reports. See: GAO, *Federal Protective Service: Enhancements to Performance Measures and Data Quality Processes Could Improve Human Capital Planning*, [GAO-16-384](#) (Washington, D.C.: Mar. 24, 2016); *DOJ Workforce Planning: Grant-Making Components Should Enhance the Utility of Their Staffing Models*, [GAO-13-92](#) (Washington, D.C.: Dec. 14, 2012); and *Homeland Security: Preliminary Observations on the Federal Protective Service's Workforce Analysis and Planning Efforts*, [GAO-10-802R](#) (Washington, D.C.: June 14, 2010).

¹⁶Office of Management and Budget, *Preparation, Submission, and Execution of the Budget*, OMB Circular A-11 (Washington, D.C.: 2016).

Appendix I provides additional detailed information on our scope and methodology.

Background

USCIS' Organizational Structure

USCIS is comprised of 16 directorates and program offices. Three of USCIS's directorates—the Field Operations Directorate; Service Center Operations Directorate; and Refugee, Asylum and International Operations Directorate—are responsible for the accurate and timely processing of applications and petitions. The Field Operations Directorate processes applications and petitions that require interviews and are not asylum related at its 88 field offices, 16 district offices, and four regional offices across the country. Additionally, the Field Operations Directorate's National Benefits Center prepares applications for adjudication.¹⁷ The Service Center Operations Directorate processes family, employment, and humanitarian petitions that do not require in-person processing or interviews at five service centers nationwide. The Refugee, Asylum and International Operations Directorate provides services for people who are fleeing oppression, persecution, or torture or are facing urgent humanitarian situations. Within the Refugee, Asylum and International Operations Directorate, the Asylum Division processes affirmative asylum applications at its 10 asylum offices and 2 asylum suboffices and conducts credible and reasonable fear screenings across the country.¹⁸

USCIS's program offices perform specific administrative functions that support the directorates responsible for case processing. For example, OPQ monitors data on case processing, develops agency staffing models, forecasts receipts, and reports USCIS data externally. The Office of the Chief Financial Officer manages the budget process, including the allocation of staff and other resources. Lastly, the Office of Human Capital and Training assists directorates in recruiting, hiring, training, and retaining their workforces.

¹⁷The National Benefits Center adjudicates a limited number of forms, such as certain Forms I-485 (Adoptions and Special Immigrant Juvenile), Forms I-130 and Forms I-765.

¹⁸Individuals apprehended by DHS and placed into expedited immigration proceedings are to be removed from the country without a hearing in immigration court unless they express an intention to apply for asylum or a fear of persecution, torture, or return to their country. Those with such "fear claims" are referred to USCIS for a credible fear screening. Individuals who have certain criminal convictions or who have a reinstated order of removal and claim fear are referred for a reasonable fear screening.

Overview of USCIS Case Processing

Individuals seeking an immigration benefit—such as permission to live or work in the U.S. or to become a citizen—apply for benefits by completing and submitting application or petition forms and supporting documentation to USCIS. Each benefit-type requires specific forms, which range in length and complexity. Petition-based benefits require the petitioner, such as an eligible relative, investor, or employer, to complete and submit the forms for themselves or on the beneficiary’s behalf. In general, USCIS’s case processing tasks include (1) receiving the application or petition, collecting associated fees, entering data in case management systems; (2) conducting background and biometric checks and assessing the complexity of the case; (3) assessing the relevant individual’s eligibility, identifying potential fraud or national security concerns, and scheduling an interview (if applicable); (4) interviewing the individual (if applicable); and (5) updating case management systems and issuing notices, requests, decisions and certificates (see fig. 1).

Figure 1: U.S. Citizenship and Immigration Services (USCIS) Case Processing Tasks

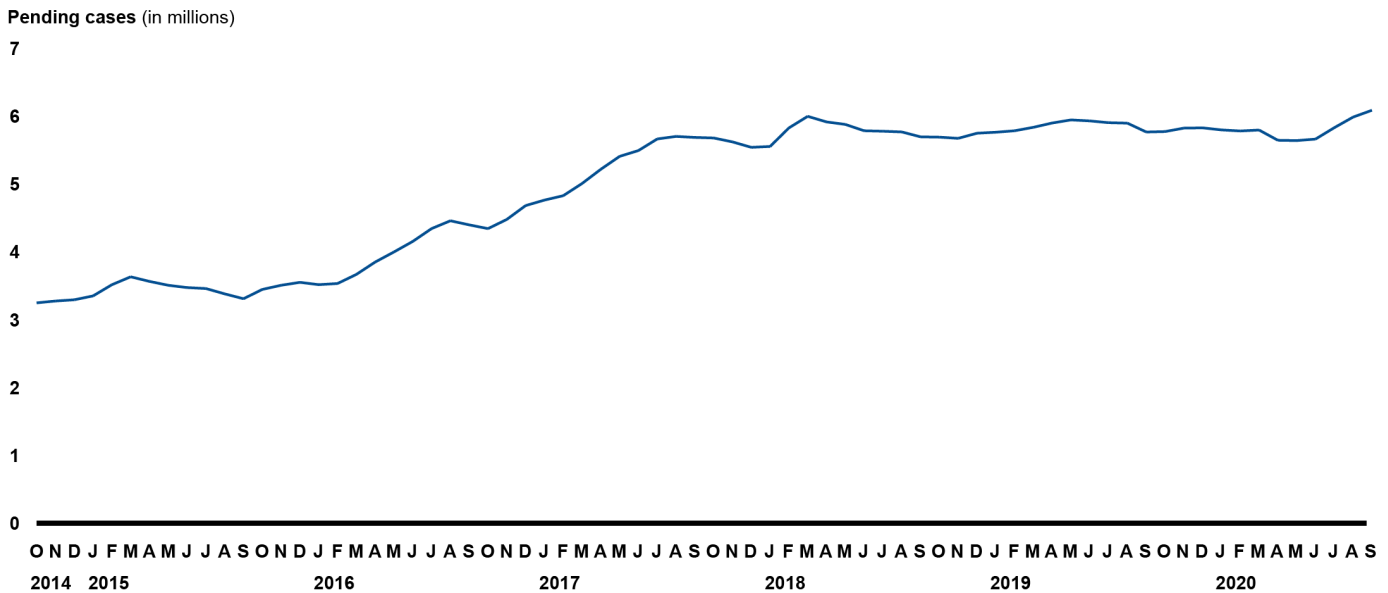


Longer Processing Times and Other Factors Contributed to Significant Growth in USCIS’s Pending Caseload

Total Pending Caseload Grew an Estimated 85 Percent from Fiscal Years 2015 through 2020

Our analysis of USCIS’s summary-level data found that USCIS’s pending caseload grew an estimated 85 percent from fiscal year 2015 through fiscal year 2020 (see fig. 2).

Figure 2: U.S. Citizenship and Immigration Services' (USCIS) Estimated Total Pending Caseload, Fiscal Years 2015 through 2020



Source: GAO analysis of USCIS data. | GAO-21-529

More specifically, from fiscal years 2015 through 2020, USCIS summary-level estimates indicate that pending caseloads increased for five of the seven selected forms included in our review.

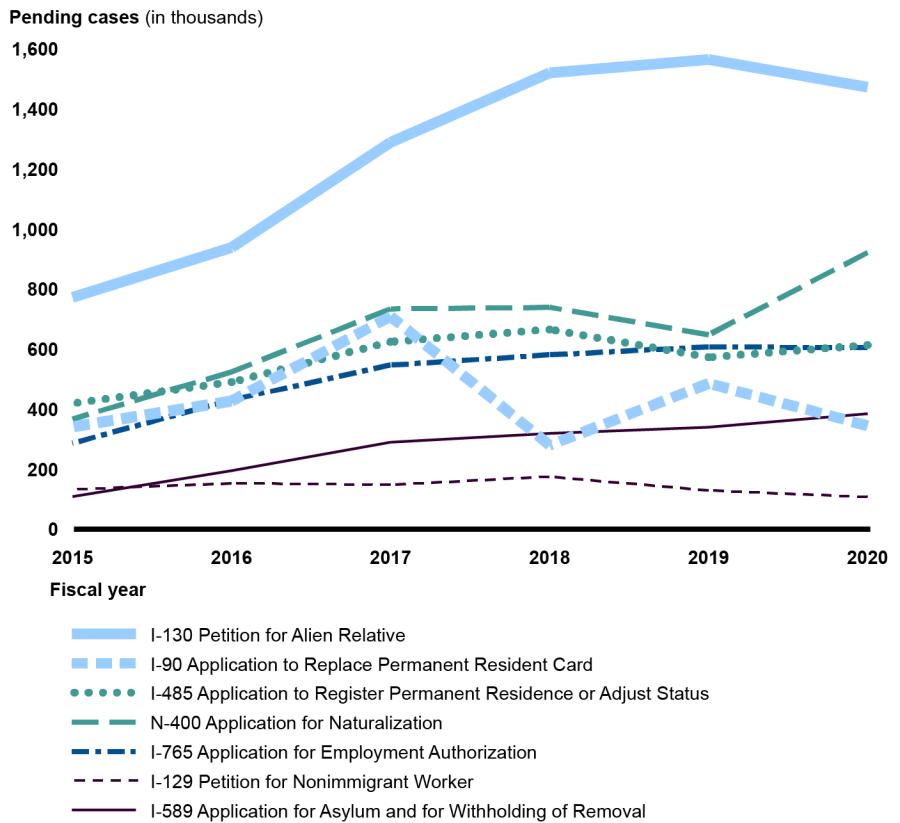
- The Petition for Alien Relative (Form I-130) comprised the largest share of USCIS's pending caseload, making up 24 percent as of the end of fiscal year 2020. In particular, for this form, USCIS estimated approximately 1.5 million cases were pending at the end of fiscal year 2020—an increase of about 90 percent from fiscal year 2015.¹⁹

¹⁹USCIS generally adjudicates petitions and applications, including the Form I-130, Petition for Alien Relative, in order based on the date the form is properly filed (priority date). However, USCIS currently does not allocate resources to adjudicate Form I-130 filings with current or past due priority dates, unless the beneficiary is a (non-preference) immediate relative or a visa is otherwise available in the applicable family preference category. To determine preference visa availability, USCIS compares the priority date with the Department of State's Visa Bulletin, which includes an application filing eligibility date by family preference category. If the priority date precedes the corresponding date in the Visa Bulletin, a visa is available to the individual for whom the petition was filed. Visa availability is one of the statutory criteria ((8 U.S.C. § 1255(a)) for approval of an individual's Form I-485 for adjustment to lawful permanent residence.

-
- The estimated pending caseloads more than tripled for the Application for Asylum and for Withholding of Removal (Form I-589) and more than doubled for the Application for Naturalization (Form N-400).
 - The estimated pending caseloads for the Application for Employment Authorization (Form I-765) and the Application to Register Permanent Residence or Adjust Status (Form I-485) increased by about 80 percent and 45 percent, respectively.

The estimated pending caseloads for two of the forms did not increase. Specifically, the estimated pending caseload for the Application to Replace Permanent Resident Card (Form I-90) fluctuated during this period, but at the end of fiscal year 2020 was about the same as at the end of fiscal year 2015. The Petition for a Nonimmigrant Worker (Form I-129) experienced a nearly 20 percent decline in pending caseloads between the end of fiscal years 2015 and 2020 (see fig. 3).

Figure 3: U.S. Citizenship and Immigration Services' (USCIS) Estimated Pending Caseloads for Selected Form-Types, Fiscal Years 2015 through 2020



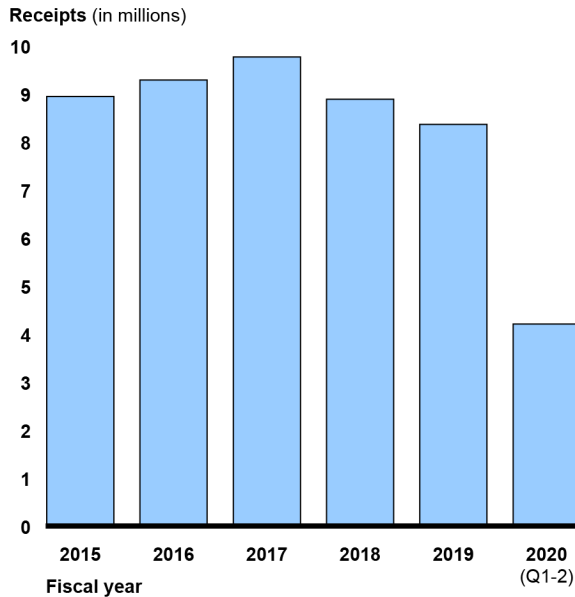
Source: GAO analysis of USCIS data. | GAO-21-529

Note: Figures reflect the number of pending cases at the end of each fiscal year.

USCIS Receipts Ranged between 8 Million and 10 Million Each Fiscal Year from 2015 through 2019

Our analysis of record-level data shows that USCIS's total receipts of all incoming applications and petitions ranged between about 8 million and 10 million each fiscal year from 2015 through 2019. More specifically, USCIS's receipts increased somewhat from fiscal years 2015 through 2017 before decreasing in fiscal years 2018 and 2019 (see fig. 4). In the first 2 quarters of fiscal year 2020, USCIS received more than 4 million applications and petitions.

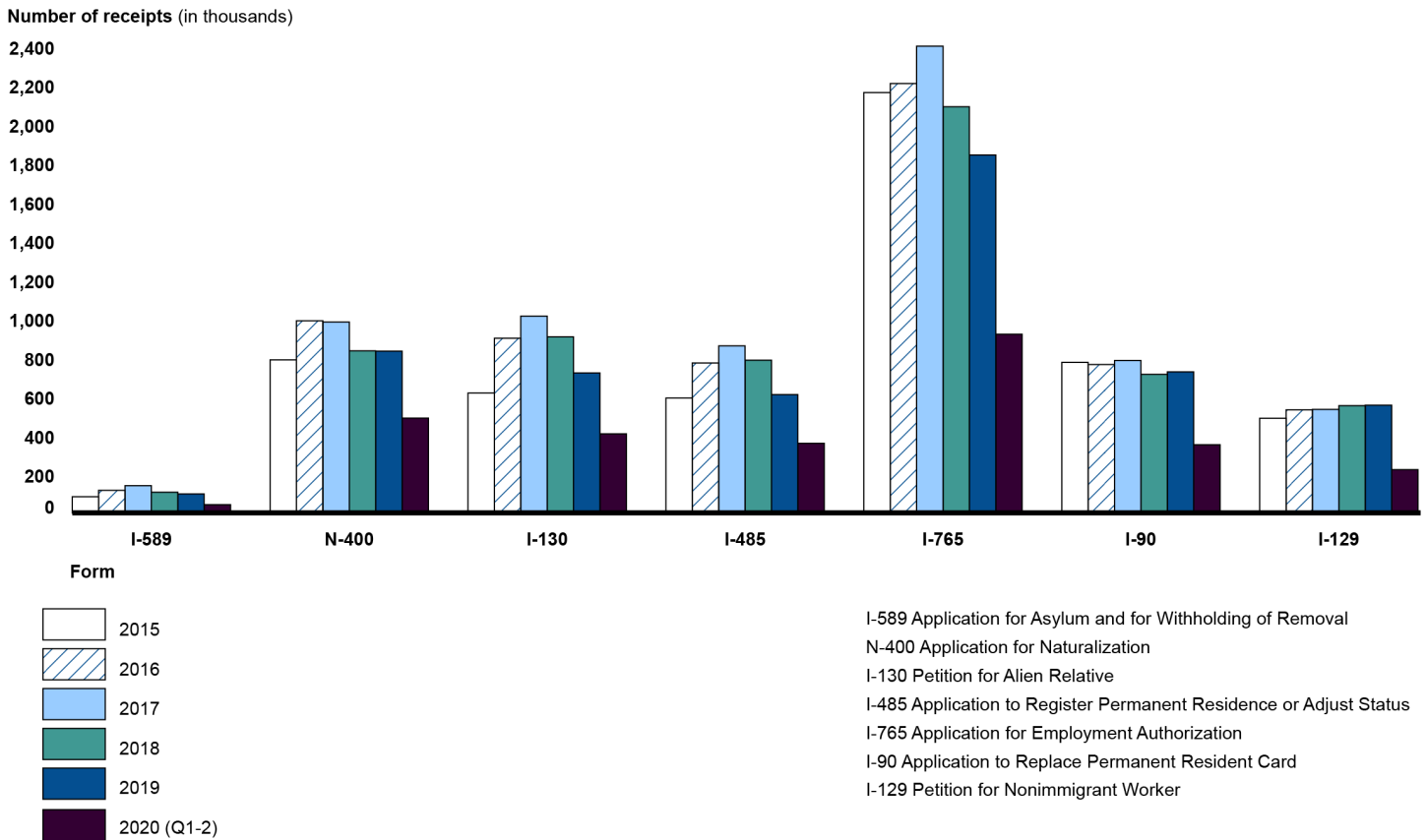
Figure 4: U.S. Citizenship and Immigration Services' (USCIS) Total Receipts, Fiscal Years 2015 through the Second Quarter of 2020



Source: GAO analysis of USCIS data. | GAO-21-529

As shown in figure 5, receipts for some forms increased, while others decreased from fiscal years 2015 through 2019. For example, of the seven forms in our analysis, receipts for the Application for Asylum and for Withholding of Removal (Form I-589), the Petition for Alien Relative (Form I-130), Application to Register Permanent Residence or Adjust Status (Form I-485), and the Application for Employment Authorization (Form I-765) increased between fiscal years 2015 and 2017, then declined over the following 2 fiscal years. Figure 5 shows USCIS's receipts for these forms from fiscal years 2015 through the second quarter of 2020.

Figure 5: U.S. Citizenship and Immigration Services' (USCIS) Receipts of Selected Forms, Fiscal Years 2015 through the Second Quarter of 2020



Source: GAO analysis of USCIS data. | GAO-21-529

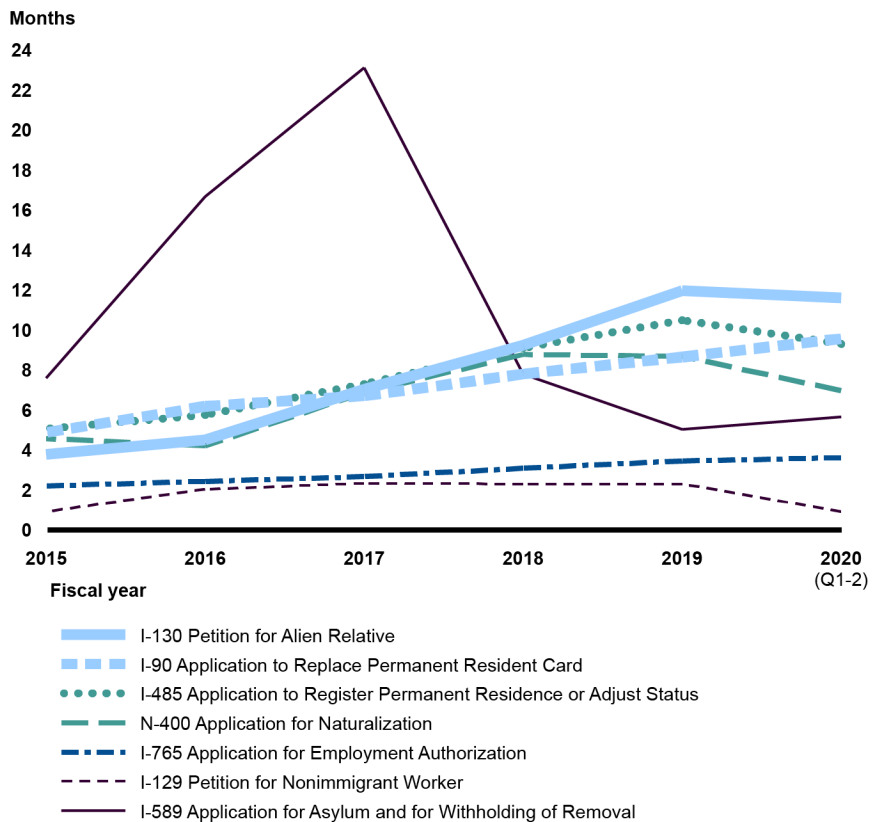
Processing Times Increased Due to Various Factors

While total receipts generally remained between 8 million and 10 million each fiscal year from 2015 through 2019, our analysis of record-level data shows that USCIS's median processing times—the median length of time from the date USCIS received the form to the date USCIS rendered a decision on the case—increased for six of the seven selected forms during this time.

However, USCIS experienced declines in median processing time for four of the seven selected forms from fiscal year 2019 through the second quarter of fiscal year 2020.

As shown in figure 6, the Petition for Alien Relative (Form I-130) had the largest increase in median processing times from fiscal year 2015 through the second quarter of fiscal year 2020. Median processing times more than tripled, from 3.8 months to 11.6 months.

Figure 6: U.S. Citizenship and Immigration Services' (USCIS) Median Processing Times for Selected Forms by Fiscal Year Completed, Fiscal Year 2015 through the Second Quarter of Fiscal Year 2020



Source: GAO analysis of USCIS data. | GAO-21-529

Note: Because processing time is calculated for applications that have been completed, these data do not include cases that are still open and in some instances may be underestimating the processing time, particularly for the Application for Asylum and for Withholding of Removal (Form I-589) and the Petition for Alien Relative (Form I-130).

USCIS officials, field location staff, and external stakeholder organization officials we interviewed identified several factors that contributed to longer processing times. These factors included competing priorities; increased length of forms; expanded interview requirements; Requests for Evidence; staffing; and the COVID-19 pandemic.

Competing priorities. Officials we interviewed representing five of the eight selected field locations, including all three of the asylum offices, stated that competing priorities contributed to the increase in the pending caseload. First, the increased number of individuals arriving at the southwest border resulted in an increased number of credible fear and reasonable fear screenings USCIS performed. In February 2020, we reported that USCIS’s credible and reasonable fear caseloads nearly doubled from over 56,000 referrals to USCIS in fiscal year 2014 to almost 109,000 referrals in fiscal year 2018.²⁰ According to agency documentation on performance management, because these individuals are detained, USCIS prioritizes screenings for them.²¹ USCIS officials said that prioritizing credible and reasonable fear screenings delayed USCIS’s efforts to process applications for Asylum and for Withholding of Removal (Form I-589).

Further, USCIS officials told us that to address the increase in credible fear and reasonable fear screenings, the agency had diverted staff resources from other parts of the agency to process these screenings more quickly. For example, the agency has historically assigned detailees from outside the Asylum Division to conduct credible fear screenings, including refugee officers and former asylum or refugee officers now working in the Field Operations Directorate, the Service Center Operations Directorate, and USCIS’s Fraud Detection and National Security Directorate. As shown above in figure 6, processing times for applications for Asylum and for Withholding of Removal (Form I-589) increased from about 7.6 months to 23.1 months between fiscal years

²⁰GAO, *Immigration: Actions Needed to Strengthen USCIS’s Oversight and Data Quality of Credible and Reasonable Fear Screenings*, [GAO-20-250](#) (Washington, D.C., Feb. 19, 2020).

²¹Noncitizen adults and family units in expedited removal proceedings may make a fear claim while in U.S. Customs and Border Protection (CBP) custody at any point after apprehension, and during the pendency of their expedited removal proceedings while in U.S. Immigration and Customs Enforcement (ICE) custody. If they indicate an intention to apply for asylum or express a fear of persecution or torture, or fear to return to their home country, CBP and ICE will refer these individuals to USCIS for credible fear screening. Additionally, certain noncitizens whose final orders of removal are reinstated or who are ordered removed because of certain criminal convictions may express a fear of return to their country of designated removal. If they express such a fear, they also will be referred to USCIS for a reasonable fear screening. USCIS will determine whether these individuals have a credible or reasonable fear of persecution or torture if returned to their country. If USCIS determines such, the individual will be placed into proceedings before an immigration judge. If the individual receives a negative determination, they can request a review of that determination by an immigration judge within the Department of Justice’s Executive Office for Immigration Review (EOIR).

2015 and 2017, then decreased over the next few years to approximately 5.6 months in the first 2 quarters of fiscal year 2020.

Additionally, in January 2018, USCIS implemented “Last In, First Out” processing of applications for Asylum and for Withholding of Removal (Form I-589), which prioritizes the most recently filed applications when scheduling interviews. USCIS stated this policy aims to deter individuals from filing frivolous, fraudulent, or otherwise nonmeritorious asylum applications to obtain employment authorization while their application is pending by allowing USCIS to promptly place such individuals into removal proceedings.²² USCIS officials stated that this policy resulted in the appearance of a reduction of its median processing time for Form I-589 applications, since USCIS was processing the cases that it had most recently received. However, this policy will result in longer processing times for older applications that are awaiting a decision, according to USCIS officials.

Length of USCIS forms. For several of the forms included in our review, the versions in effect in fiscal year 2020 were longer than those in effect in fiscal year 2015. According to staff we interviewed from four of eight USCIS field locations, longer forms increased the amount of time it takes for staff to adjudicate applications and petitions, and resulted in longer interviews, since adjudicators were to collect and confirm additional information. As shown in table 1, three of the seven forms increased considerably in the number of questions asked.

²²Regarding employment authorization for asylum applicants, see 8 C.F.R. §§ 208.7, 274a.12(c)(8), 274a.13(a)(2).

Table 1: Changes to U.S. Citizenship and Immigration Services' (USCIS) Form Length for Selected Forms from Fiscal Years 2015 through 2020

Form	Form length		Date of latest revision
	Version in effect during fiscal year 2015	Version in effect during fiscal year 2020	
Application to Replace Permanent Resident Card (Form I-90)	8 pages, 57 questions	7 pages, 59 questions	February 2017
Petition for a Nonimmigrant Worker (Form I-129)	8 pages, 56 questions	10 pages, 61 questions	January 2020
Petition for Alien Relative (Form I-130)	2 pages, 41 questions	12 pages, 158 questions	February 2019
Application for Naturalization (Form N-400)	21 pages, 106 questions	20 pages, 115 questions	September 2019
Application to Register Permanent Residence or Adjust Status (Form I-Form I-485)	6 pages, 18 questions	20 pages, 229 questions	October 2019
Application for Asylum and for Withholding of Removal (Form I-589)	10 pages, 147 questions	10 pages, 148 questions	August 2020
Application for Employment Authorization (Form I-765)	1 page, 18 questions	7 pages, 61 questions	August 2020

Source: GAO analysis of USCIS documentation. | GAO-21-529

Note: Page and question number totals do not include form supplements.

USCIS officials attributed these changes in form length to modifications in background, identity and security check processes that the agency made since 2015, including in response to Executive Order 13780: *Protecting the Nation from Foreign Terrorist Entry into the United States*, which was rescinded in January 2021.²³ For example, USCIS added questions to the Application to Register Permanent Residence (Form I-485) regarding the applicant's parents, marital history, and past application history. With respect to the Petition for Alien Relative (Form I-130), USCIS added questions related to the petitioner's background, biographical information, parents, current or former spouses, and the petitioner's addresses and employment history for the previous 5 years.

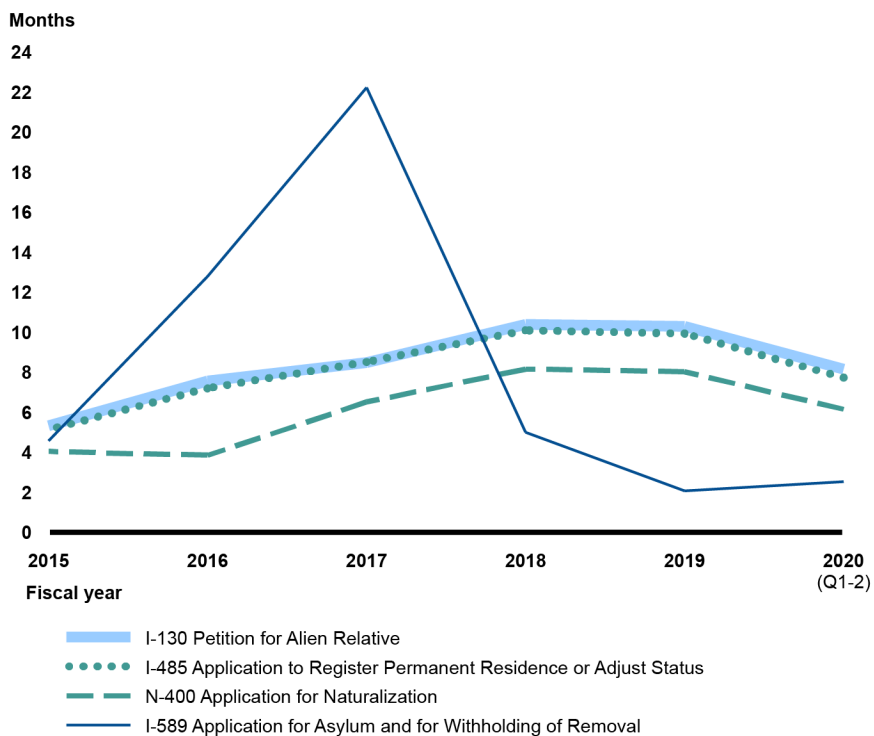
Expanded interview requirements. According to agency documentation, to comply with provisions of the now rescinded Executive Order 13780, USCIS amended its adjudication policy in August 2017 to interview individuals for forms that previously had not required an interview, such as the employment-based Application to Register

²³Executive Order 13780 of March 2017 (82 Fed. Reg. 13, 2019) was revoked by Presidential Proclamation in January 2021. See Ending Discriminatory Bans on Entry to the United States, Pres. Proc. No. 10141, 86 Fed. Reg. 7005 (Jan. 25, 2021) (issued Jan. 20).

Permanent Residence (Form I-485). USCIS staff at three of eight field locations, and officials from the three external stakeholder organizations that we interviewed, stated that new interview requirements increased field offices' workloads and contributed to longer processing times.

As shown in figure 7, our analysis of record-level data found that the median time for applicant interviews—from the date USCIS received the application to the date the interview was held—generally increased for three of the four selected forms with interview requirements from fiscal year 2015 through the second quarter of fiscal year 2020. For the Application for Asylum and for Withholding of Removal (Form I-589), the median time for applicant interviews increased from fiscal year 2015 through 2017 then decreased significantly beginning in fiscal year 2018. USCIS officials attributed this decrease to USCIS's January 2018 decision to prioritize the most recently received I-589 for scheduling interviews, as previously described.

Figure 7: U.S. Citizenship and Immigration Services (USCIS) Median Duration between Date of Application Receipt and Interview for Selected Forms by Fiscal Year of Interview, Fiscal Years 2015 through the Second Quarter of Fiscal Year 2020



Source: GAO analysis of USCIS data. | GAO-21-529

Requests for evidence. USCIS staff at three of eight field locations, as well as officials from the three external stakeholder organizations we interviewed, cited Requests for Evidence as an additional factor contributing to longer processing times. USCIS adjudicators issue Requests for Evidence if an applicant or petitioner did not submit all required evidence to demonstrate eligibility for benefits, or if the adjudicator did not obtain all required information during an interview. Upon receiving a Request for Evidence, USCIS’s standard operating procedures provide an applicant or petitioner up to 87 calendar days to respond.

Staffing. USCIS officials identified insufficient staffing levels as a factor contributing to longer processing times. The Field Operations Directorate and the Service Center Operations Directorate have been under a hiring freeze since December 2019 and February 2020, respectively. USCIS implemented an agency-wide hiring freeze from May 2020 through April 2021, leaving all directorates unable to fill open positions. However, prior to the hiring freeze, USCIS also faced challenges filling all of its authorized positions to keep pace with the rate of staff separating from or moving positions within the agency, as we discuss later in this report.

COVID-19 pandemic. USCIS officials identified the COVID-19 pandemic as a contributing factor to longer processing times. Due to COVID-19, USCIS suspended in-person services in March 2020. In June 2020 it resumed some services at a limited capacity and with added precautions. USCIS officials stated that suspending in-person services caused delays for cases requiring an interview or biometrics appointment.²⁴

Older Pending Caseload Data Are Not Reliable

USCIS has various case management systems in which it maintains information on its cases, including data on pending caseload; however, for one data system, older case data are not reliable. Across USCIS’s current case management systems—CLAIMS-3, CLAIMS-4, ELIS, and Global—USCIS data indicate a total pending caseload of approximately 19 million cases as of February 2021. However, USCIS officials stated that some of these 19 million cases were not actually pending because

²⁴At a biometrics appointment, USCIS generally collects fingerprints, a photograph, and/or a signature. USCIS has the general authority to require and collect biometrics from any applicant, petitioner, sponsor, beneficiary, or other individual filing a request for any immigration and naturalization benefit. See 8 CFR § 103.2 (b)(9) and 8 C.F.R. pt. 103, subpt. B (Biometric Requirements); in particular, see 8 C.F.R. §§ 103.2(b)(9), 103.16.

data in CLAIMS-3 do not include information on case completions prior to the early 2000s.

Specifically, USCIS used CLAIMS-3 to record receipts and collect fees, but did not record completions for cases processed from the 1980s through the early 2000s. Thus, these cases appear as pending in CLAIMS-3 when they may actually have been completed. The Field Operations Directorate immigration officers, who process cases in CLAIMS-3, did not have direct access to the CLAIMS-3 system during that period, preventing them from recording completions. To address this issue, in 2002 USCIS implemented the Interim Case Management System, a web-based application that allowed adjudicators to record completions in CLAIMS-3.²⁵ While implementation of that case management system provided a mechanism for adjudicators to record case completions going forward, it did not address the lack of case completion information for cases adjudicated in CLAIMS-3 prior to implementation, which USCIS officials have estimated at 12 million of the 19 million cases.

USCIS officials have taken steps to address this issue. For example, in May 2020, USCIS began reviewing its records to identify and close completed cases in CLAIMS-3 that were recorded in the system as pending. USCIS identified nearly 6 million cases that should be closed in CLAIMS-3—for example, cases in which other USCIS sources indicated that the applicant had been granted citizenship, suggesting that the applicant’s other pending applications had already been granted.²⁶ In May 2020, USCIS’s Data Management Council signed a Memorandum of

²⁵USCIS officials stated that the first version of Interim Case Management System was implemented in 2002. However, USCIS officials were unable to determine when the Field Operations Directorate implemented the system across all of its field offices, or whether some offices piloted it prior to 2002.

²⁶The Service Center Operations Directorate identified 7 million cases with potentially inaccurate data, then analysts randomly sampled cases and researched available information sources, and in some instances consulted subject matter experts, to validate the cases’ statuses. The analysts produced a decision tree based on their research and validation process to recommend about 6 million cases that could be closed, according to their analysis. Excluding the nearly 6 million cases identified for closure as of May 2020, USCIS documentation stated that the number of pending cases in their operational data store, which pulls from multiple source systems (e.g. CLAIMS-3 and ELIS) was approximately 99 percent accurate when randomly sampled, and the number of total pending cases was within 98.3 percent of what OPQ reports as pending through its process for calculating pending cases described above.

Record stating that these 6 million cases should be administratively closed.²⁷

USCIS officials stated that they are working to close the remaining records since then but, as of February 2021, OPQ officials stated that the process of closing them would take 18 to 20 months.²⁸ Moreover, OPQ officials stated that they would need to identify and, if applicable, close an additional approximately 6 million records to verify the accuracy of the rest of the 12 million cases. Officials stated that the remaining cases are more complicated and will require additional effort, such as reviewing paper files to determine case completion status, but officials said that they have not considered developing a plan with milestones or actions for conducting those reviews.

In the absence of reliable data on completion status for these cases, USCIS's OPQ has faced challenges in reliably calculating USCIS's total pending caseload. The agency uses total pending caseload data to track and report USCIS's performance, such as in USCIS's annual report to Congress.²⁹ To estimate the number of pending cases in CLAIMS-3 prior to implementation of the Interim Case Management System, OPQ estimates a baseline number of pending cases using manually reported data from service centers and field offices. Then, on a monthly basis, USCIS calculates its pending caseload estimate by incorporating the number of new receipts, reopened cases, and completions into that baseline.³⁰ However, according to USCIS officials, closing cases that are recorded inaccurately as pending would allow them to develop an authoritative data source to calculate pending caseload. Further, USCIS's

²⁷USCIS's Data Management Council was established in 2019 with the mission to provide proper oversight, escalation, and decision-making over USCIS's critical data assets to facilitate data-driven insights and digital transformation within the agency. This council is comprised of USCIS officials who make strategic decisions regarding data, and advisors and subject matter experts who provide consultation and additional information to assist decision-making.

²⁸In May 2021, USCIS stated it had closed over 3 million of these cases.

²⁹See Citizenship and Immigration Services, *Annual Report on the Impact of the Homeland Security Act on Immigration Functions Transferred to the Department of Homeland Security* (Washington, D.C.: Apr. 29, 2020).

³⁰If USCIS issues an unfavorable decision in one's case, with certain exceptions, the applicant may file a motion to reopen or a motion to reconsider. A motion to reopen is a request to the office that issued the unfavorable decision to review its decision based on new facts, while a motion to reconsider is a request to review its decision based on an incorrect application of law or policy.

current process is resource intensive and requires 45 days on average for OPQ to produce a report.³¹ An authoritative data source would improve the timeliness and reliability of USCIS's pending caseload data and its value to USCIS leadership and Congress.

When beginning a project, such as USCIS's initiative to review and close cases in CLAIMS-3, project management principles call for the development of a project management plan that defines the scope, time, and cost associated with the project.³² By developing a plan with time frames for the project, USCIS would help ensure that it implements this initiative efficiently.

USCIS Does Not Have Performance Measures to Fully Monitor Case Processing Operations

USCIS Has Some Timeliness Performance Measures, but Has Not Developed Such Measures for Processing All Forms with Significant Pending Caseloads

USCIS has developed several performance measures and associated targets to provide USCIS leadership with an understanding of the areas in which the agency needs to improve. These measures are divided into three types, according to where the Office of the Chief Financial Officer reports them.³³

³¹USCIS's National Performance Report also contains receipts and completions, in addition to pending cases.

³²Project Management Institute, *A Guide to the Project Management Body of Knowledge*.

³³In fiscal year 2020, the Office of the Chief Financial Officer reported on 72 measures, including 11 strategic, four management and 57 Annual Operating Plan measures.

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- First, USCIS reports strategic measures to DHS, the Office of Management and Budget, Congress, and the public, consistent with GPRAMA.³⁴
 - Second, USCIS reports management measures to DHS, the Office of Management and Budget, and Congress, but not the public.
 - Third, USCIS reports Annual Operating Plan measures to its leadership in an annual end-of-year performance report.³⁵

According to officials from the Office of the Chief Financial Officer, they collaborate with USCIS's directorates and program offices to develop the performance measures and associated targets and to determine which measures should be reported internally and externally. These measures address a number of different aspects of USCIS case processing, including quality of adjudication, fraud detection, and timeliness.

With regard to timeliness measures, USCIS officials told us that program offices and directorates determine the forms requiring measures on the basis of their assessment of what helps facilitate timely and relevant decision-making by senior leadership. Among its 72 performance measures, USCIS has four measures related to the timeliness of its case processing. USCIS measures case processing timeliness by calculating the average processing time for specific forms, defined as the average duration from the date an application or petition is received to the date of the benefit decision.

As shown in table 2, USCIS has timeliness performance measures with associated average processing time targets for three of the seven forms included in our review: the Application for Naturalization (Form N-400), Application to Register Permanent Residence or Adjust Status (Form I-485), and the Petition for a Nonimmigrant Worker (Form I-129).³⁶ All three of these performance measures are Annual Operating Plan measures, for

³⁴Government Performance and Results Act of 1993 (GPRA), Pub. L. No. 103-62, 107 Stat. 285, as updated by the GPRA Modernization Act of 2010 (GPRAMA), Pub. L. No. 111-352, 124 Stat. 3866 (2011). GPRAMA calls for agencies to identify their highest priority performance goals as Agency Priority Goals and have ambitious targets for these Agency Priority Goals that can be achieved within 2 years. See 31 U.S.C. §§ 1115, 1120.

³⁵USCIS's Annual Operating Plan refers to annual performance measures, targets and results that are reported to USCIS leadership.

³⁶USCIS's performance measures also include an average processing time target of 4 months for the Immigrant Petition for Alien Workers (I-140), and other time-related measures, such as processing credible fear referrals, within 14 days.

which performance results are reported to USCIS leadership. However, USCIS does not have timeliness measures for four of the seven forms included in our review, representing a significant portion of USCIS's workload (I-90, I-130, I-589, and I-765).

Table 2: U.S. Citizenship and Immigration Services' (USCIS) Performance Targets for Selected Application, and Petitions' Average Processing Time

Application/petition	Average processing time target
Application for Naturalization (Form N-400)	5 months
Application to Replace Permanent Resident Card (Form I-90)	None
Application to Register Permanent Residence or Adjust Status (Form I-485)	4 months
Petition for a Nonimmigrant Worker (Form I-129)	2 months
Petition for Alien Relative (Form I-130)	None
Application for Asylum and for Withholding of Removal (Form I-589)	None
Application for Employment Authorization (Form I-765)	None

Source: GAO analysis of USCIS information | GAO-21-529.

Note: USCIS calculates average processing time as the duration from form receipt date to the date of the first adjudicative decision. The Annual Operating Plan includes a target for number of Applications for Asylum and for Withholding of Removal (Form I-589) case completions, rather than for timeliness. With respect to the I-485 filed for an individual seeking lawful permanent resident status on the basis of familial relationship (established through an approved I-130), the application for an otherwise eligible individual may not be approved until a visa is available in the particular family preference category, unless the applicant is an immediate relative for whom (non-preference family) visas are always available.

USCIS officials provided various perspectives for why the agency has not created measures for the four forms in our review that did not have timeliness performance measures. With regard to two of them—the Petition for Alien Relative (Form I-130), and the Application for Employment Authorization (Form I-765)—USCIS officials stated that their adjudication is jointly managed by the Service Center Operations Directorate and the Field Operations Directorate. Since neither directorate is solely responsible for adjudicating the forms, neither directorate had created timeliness performance measures for them. The Application to Replace Permanent Resident Card (Form I-90) is managed solely by the Service Center Operations Directorate. However, since creating specific Annual Operating Plan measures is not mandatory, the Service Center Operations Directorate determined that monitoring this form does not facilitate timeliness and relevant decision-making by senior leadership. With respect to the Application for Asylum and for Withholding of

Removal (I-589), USCIS performance measure documentation states that average processing time is not a meaningful measure for that form because USCIS prioritizes processing the most recently received applications.

The importance of timely case processing is reflected in USCIS's 2019-2021 Strategic Plan, which states that the agency's core role is adjudicating immigration benefit requests, allowing foreign nationals to visit, work, live, and seek refuge in the U.S. As such, the plan states that the agency has set a goal to continuously improve key processes, programs, and systems, to include enhancing efficiencies and streamlining operations. USCIS leadership uses its timeliness performance measures, along with all of its performance measures, to provide them with an understanding of areas that may require leadership attention in order to improve, according to the agency's Fiscal Year 2019 Performance Report.³⁷

As USCIS adjudicates more than 50 form types, it is not reasonable to expect it to have performance measures for all of them. However, some forms make up a larger percentage of USCIS's caseload and some have larger pending caseloads than others, suggesting that their adjudication takes more USCIS resources, and would have more impact on USCIS meeting its goal for enhancing efficiencies. For example, USCIS has not established performance measures for assessing timeliness for the Application to Replace Permanent Resident Card (Form I-90), the Petition for Alien Relative (Form I-130), and the Application for Employment Authorization (Form I-765), and these forms collectively comprised approximately 41 percent of USCIS's pending caseload at the end of fiscal year 2020. More specifically, one of those forms—the I-130—comprised about 24 percent of USCIS's pending caseload at that time. Moreover, each of these three forms has a significant pending caseload, as noted earlier in this report. For example, the number of pending cases for the I-130 form nearly doubled from fiscal year 2015 to 2019 and totaled about 1.6 million cases as of the end of fiscal year 2019.

As discussed, USCIS makes decisions about the appropriateness of creating timeliness performance measures for adjudicating individual forms. For example, USCIS's approach to adjudicating the Form I-589

³⁷United States Citizenship and Immigration Services, *Office of the Chief Financial Officer, FY 2019 End-of-Year Performance Report*, (Washington, D.C.: Sept. 30, 2018).

may not lend itself to an average processing time measure, and USCIS has developed an alternative measure for that form.³⁸ However, performance measures would better position USCIS to assess its timeliness in processing certain forms, including those that comprise a relatively large proportion of the agency's pending caseload or have large caseloads themselves.

Using principles outlined in GPRAMA, high-quality performance metrics that are valid, reliable, and strongly correlated with outcomes can be helpful in understanding agency progress in achieving an outcome. Developing and implementing timeliness performance measures for those forms that have a significant pending caseload could help USCIS leadership identify areas in need of improvement and monitor the agency's progress toward its goal of enhancing efficiency, as noted in USCIS's strategic plan.

USCIS Has Not Developed Performance Measures to Monitor Efforts to Reduce Case Processing Times

The USCIS directorates responsible for adjudication—the Field Operations Directorate, the Refugee, Asylum and International Operations Directorate and the Service Center Operations Directorate—have implemented several process improvement projects. According to each directorate's project documentation, these projects are intended to improve the quality and efficiency of the case management process, such as creating new designs for facilities, developing staff to specialize in certain cases, and onboarding staff remotely. These projects are highlighted below (see app. II for more detail on each project, including a description and the status of the initiatives in each directorate's project).

- **The Field Operations Directorate Adjudication Service Blueprint.** In 2017, the Field Operations Directorate created the Adjudication Service Blueprint project to improve case processing quality and efficiency, among other objectives, such as enhancing detection of fraud and national security risks. In the Blueprint, the Field Operations Directorate is revising procedures for each stage of the case management process. For instance, through the Blueprint's Segmented Business Project Initiative, the Field Operations Directorate is piloting a risk assessment model and tool to assess the complexity of cases, to inform interview scheduling and work delegation.

³⁸The Annual Operating Plan includes a measure for the number of applications for Asylum and for Withholding of Removal (Form I-589) case completions, with a target of 65,000 completions.

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- **The Refugee, Asylum and International Operations Directorate Ignite.** In 2019, the Refugee, Asylum and International Operations Directorate created the Ignite project to encourage innovation and create a better workplace for staff. The Refugee, Asylum and International Operations Directorate's fiscal year 2020 Operating Plan cites the Ignite project as a tool to help accomplish the plan's objective of optimizing the timeliness of adjudication processes. For example, one Ignite concept, the Regional Specialization Initiative, is intended to establish specialized training and country-of-origin information for cases related to particular countries or geographic regions, thereby allowing adjudicators to specialize in such cases.³⁹
 - **The Service Center Operations Directorate Service Design:** In 2020, the Service Center Operations Directorate created the Service Design project with initiatives that aim to improve hiring, onboarding, and developing staff; data and analytics; and case processing. For instance, the Service Center Operations Directorate plans to electronically scan forms for use during adjudication and long-term record storage.

To assess the progress and implementation of these projects, USCIS developed oversight mechanisms and performance measures. Specifically, the Field Operations Directorate; the Refugee, Asylum and International Operations Directorate; and the Service Center Operations Directorate developed governance structures, project concepts with some performance measures, and project meeting schedules, which are important tools for monitoring their respective projects.

With regard to the projects' performance measures, USCIS officials told us they developed the measures to align with the primary goals or objectives of each project. For example, a goal of one of the initiatives is to develop staff to specialize in certain cases to allow for faster processing times and improved quality of related adjudications. In terms of monitoring, officials told us that they measure the performance of this staff specialization concept by surveying employees on whether they feel encouraged to make improvements and empowered when managing work processes. Further, a goal of another initiative is to create designs

³⁹Country-of-origin Information provides evidence against which documentation in the record and the testimony of an interviewee can be viewed and evaluated. This information includes country-specific conditions, such as any evidence of religious persecution in foreign countries, and applicable distinctions within a country between the nature of and treatment of various religious practices and believers, among other conditions that may exist.

for facilities that can increase interview capacity, which would allow a particular office location to schedule more appointments with applicants and complete more cases. To monitor this facility design concept, they measure the level of feedback that is incorporated into the space management process.

For some project improvement concepts, the Field Operations Directorate and the Service Center Operations Directorate established performance measures to monitor the extent the projects are contributing to improved efficiency of the case management process. However, USCIS has not established performance measures for its projects to assess the extent to which they are contributing to reduced processing times—a key focus in light of the agency’s growing pending caseload. For example, the Field Operations Directorate Blueprint’s Segmented Business Process initiative is designed, in part, to increase the efficiency of USCIS’s processing of family-based, Application to Register Permanent Residence or Adjust Status (Form I-485) cases by allowing USCIS to more efficiently schedule and assign cases for interview. However, USCIS does not have a measure or mechanism for assessing the effects of this initiative on processing times. Similarly, the Refugee, Asylum and International Operations Directorate’s Regional Specialization Initiative is designed to achieve efficiencies by allowing adjudicators to specialize in particular regions or types of cases. However, rather than measuring effects on processing times, USCIS measures the performance of this initiative on the basis of employee satisfaction surveys before and after implementation.

USCIS officials provided several explanations as to why they have not developed performance measures to monitor the extent to which these projects are contributing to reduced processing times. For example, the Field Operations Directorate officials stated that its performance measures for the Blueprint do not include reductions in processing times because they expect each project to achieve efficiencies on a relatively small scale, and effects could vary by location. The Refugee, Asylum and International Operations Directorate and the Service Center Operations Directorate officials stated that their respective projects do not have performance measures related to reducing processing time because the projects are not exclusively focused on improving timeliness but also seek to improve the quality of adjudication and address human capital needs.

For initiatives USCIS is using to improve quality, such as for human capital needs, it is appropriate for USCIS to monitor their effectiveness through other performance measures. However, for the initiatives to

enhance efficiency, developing performance measures for reducing processing times would help USCIS monitor the extent to which the initiatives are achieving their desired effects. For instance, USCIS could tailor these measures for initiatives that are expected to achieve efficiencies on a small scale, such as by comparing processing times for cases processed with and without new procedures or comparing processing times in locations that are participating in pilot projects with locations that are not.

Using principles outlined in GPRAMA, high-quality performance metrics that are valid, reliable, and strongly correlated with outcomes can be helpful in understanding agency progress in achieving an outcome. Since USCIS has established that increasing efficiency is one of the objectives of its process improvement projects, developing performance measures to monitor the extent to which process improvement projects reduce case processing times would provide USCIS leadership with greater assurance that directorates are allocating limited resources toward projects that best achieve their desired results.

USCIS Has Not Fully Implemented Key Workforce Planning Principles to Address Pending Caseload

USCIS Developed Staffing Models for Short-Term Workforce Planning, but Did Not Incorporate Implementation Risks

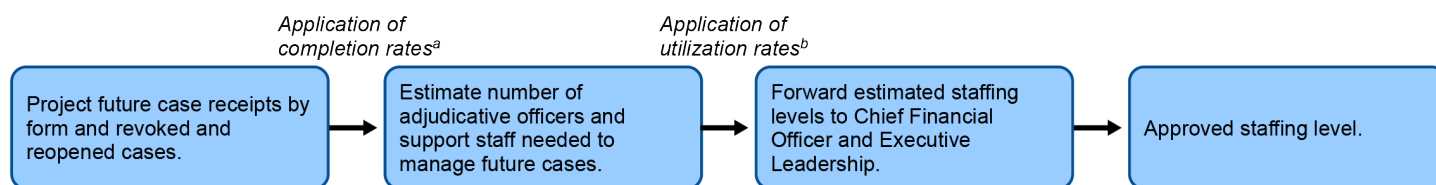
USCIS uses Staffing Allocation Models, to estimate appropriate staffing levels for each directorate and to allocate staff across the agency. To create the models, OPQ estimates the volume of new receipts USCIS will receive in the upcoming and subsequent fiscal years, on the basis of trends in case receipts for each office.⁴⁰ After developing this preliminary estimate, USCIS offices and directorates meet to establish the final estimates for use in the models. Using historical data on the amount of time required to complete each application, the models estimate the number of staff that USCIS will need in each office or directorate to

⁴⁰According to USCIS officials, beginning in fiscal year 2021, USCIS also started producing 7-year Staffing Allocation Models, with the intent of providing USCIS with a longer-term view of USCIS's staffing needs.

address all incoming receipts for that year.⁴¹ USCIS leadership, in consultation with the Office of the Chief Financial Officer, then reviews each Staffing Allocation Model and approves or adjusts staffing allocations, as needed. During the course of the fiscal year, directorates may also submit requests for staffing increases, which USCIS leadership assesses on a case-by-case basis.

Figure 8 illustrates USCIS’s staff modeling process.

Figure 8: U.S. Citizenship and Immigration Services (USCIS) Staff Modeling Process



Source: GAO analysis of USCIS documentation. | GAO-21-529

^aCompletion rate is the number of hours it takes to fully process a specific form, which are calculated for each form-type.

^bUtilization rate is the average percentage of time adjudicators spend on adjudication, rather than other work.

The Staffing Allocation Models are also intended to help USCIS estimate projected revenue and assess the cost of adjudication for the purpose of setting future fees.⁴² Officials from the Office of the Chief Financial Officer stated that USCIS does not incorporate its pending caseload into its Staffing Allocation Models because the agency has already collected fees for those cases, and including them in the Staffing Allocation Model would therefore not be helpful for the purposes of projecting revenue or estimating costs.

⁴¹The Staffing Allocation Models incorporate Hours per Completions (the number of hours it takes to fully process a specific form, which are calculated for each form); Utilization Rates (the average percentage of time adjudicators spend on adjudication, rather than other work); and Equivalent Units (the number of hours it will take to process a certain volume of forms).

⁴²8 U.S.C. § 1356(m). USCIS’s fee authority allows for the recovery of the full costs of providing all adjudication and naturalization services, including the costs of similar services provided without charge to asylum applicants and other applicants. Such fees may also be set at a level to recover additional costs associated with administration of the fees collected.

We compared USCIS’s Staffing Allocation Model with six key principles for staffing models and found that USCIS’s model met four key principles and partially or did not meet two key principles (see table 3).⁴³

Table 3: Assessment of U.S. Citizenship and Immigration Services’ (USCIS) Implementation of Key Principles for Staffing Models

Key principle	Assessment of USCIS’ staffing model	Met, partially met, or not met
1. Incorporate risk factors and address risks if constraints do not allow full implementation of staffing model.	The model does not incorporate risk factors, such as risks associated with hiring delays and attrition.	Not met
2. Incorporate work activities, frequency, and time required to conduct them.	The model incorporates the time required for adjudicators to complete cases and the percentage of time staff spend on adjudication, as opposed to other activities, such as training.	Met
3. Ensure quality of data used in the model to provide assurance that staffing estimates are reliable.	The model includes historical data on receipts from USCIS’s case management systems to project case receipts and estimate staffing needs. USCIS conducts supervisory review of cases for accuracy and the quality of adjudication.	Met
4. Establish roles and responsibilities for operating and updating the model and involve key stakeholders for their input.	Roles and responsibilities are clearly defined and delineated. USCIS’s Office of Performance and Quality manages and maintains data in the model, with input from the directorates and the Office of the Chief Financial Officer.	Met
5. Ensure the correct number of staff and appropriate mix of skills.	The model estimates staff needed for each position and uses preexisting ratios to determine the needed mix of support staff.	Met
6. Inform budget and workforce planning (e.g., long-term strategies for acquiring, developing, and retaining staff).	The Office of the Chief Financial Officer uses the model to project incoming revenue from receipts and create staff allocations. Directorates use the model as their primary workforce planning tool. However, USCIS does not use the model to inform long-term strategies for acquiring, developing, and retaining staff, as discussed in more detail later in the report.	Partially met

Source: GAO analysis of USCIS information. | GAO-21-529

Note: Based on agency documents and interviews with USCIS officials, we defined “met” as the agency directorates responsible for adjudicating immigration benefits incorporate the principle into their staffing allocation models; “partially met” as the agency directorates responsible for adjudicating benefits incorporate some aspects of the principle into their staffing models; and “not met” as the agency directorates responsible for adjudicating benefits did not incorporate the principle into their staffing models.

⁴³We identified the key principles from our previous reports that discussed staffing models. These reports include GAO, *Federal Protective Service: Enhancements to Performance Measures and Data Quality Processes Could Improve Human Capital Planning*, [GAO-16-384](#) (Washington, D.C.: Mar. 24, 2016); DOJ *Workforce Planning: Grant-Making Components Should Enhance the Utility of Their Staffing Models*, [GAO-13-92](#) (Washington, D.C.: Dec. 14, 2012); and *Homeland Security: Preliminary Observations on the Federal Protective Service’s Workforce Analysis and Planning Efforts*, [GAO-10-802R](#) (Washington, D.C.: June 14, 2010).

Key principles for staffing models include incorporating risk factors and addressing risks if constraints do not allow full implementation of the staffing model. However, USCIS’s staffing models do not incorporate workforce-related risks that occur during the course of a fiscal year, such as those posed by hiring delays and attrition, which could affect full implementation of the models. Specifically, the Staffing Allocation Models estimate the number of cases that each office will complete in a given year, assuming that each office will have filled all authorized staff positions on the first day of the fiscal year. However, as shown in table 4, none of the three USCIS directorates filled all of their authorized positions in any year from fiscal year 2015 through 2020.

Table 4: U.S. Citizenship and Immigration Services’ (USCIS) Directorate Staffing Levels for Fiscal Years 2015 through 2020

Fiscal year	Field Operations		Service Center Operations		Refugee, Asylum and International Operations	
	Authorized	Onboard	Authorized	Onboard	Authorized	Onboard
2015	5,772	5,468	4,316	3,570	1,430	1,068
2016	6,097	5,842	3,969	3,799	1,587	1,392
2017	6,315	6,205	4,624	4,217	1,881	1,554
2018	6,656	6,435	4,874	4,589	2,124	1,588
2019	6,990	7,122	5,197	4,972	2,174	1,643
2020	7,308	7,044	5,197	4,967	2,171	2,087

Source: GAO analysis of USCIS data | GAO-21-529.

Note: The data for fiscal years 2015 through 2019 are fiscal year-end data. Fiscal year 2020 data are staffing levels as of August 2020. The number of onboard staff for Field Operations in fiscal year 2019 exceeded its authorized level, due to the conversion of about 300 contract staff to permanent federal positions. The Field Operations Directorate’s authorized ceiling increased in fiscal year 2020 to account for the additional number of positions.

USCIS officials identified hiring delays and attrition as risks contributing to its directorates not being staffed to their authorized levels. With respect to hiring, USCIS officials stated that directorates are often unable to fill every authorized position on the first day of the fiscal year because of the time required to advertise vacant positions and select candidates. According to officials in one directorate, it can take approximately 3 months for applicants to complete the federal hiring process. With respect to attrition, their directorates lose a portion of their staff throughout the fiscal year. For example, from fiscal years 2016 through 2019, the Refugee, Asylum and International Operations Directorate had an average of 42 percent

attrition each year, while the Field Operations Directorate had an average of 10 percent.⁴⁴

USCIS officials stated that USCIS does not incorporate these risks into the Staffing Allocation Model because the directorates have not implemented a methodology to apply data related to hiring delays and attrition to the staffing models. Incorporating these risks into the Staffing Allocation Model would improve the accuracy of USCIS's models' estimated completions and allow USCIS to better align its staff with its workload needs.

USCIS Does Not Have a Strategic Workforce Plan

Key principles for staffing models call for using staffing models to inform strategic workforce planning, such as developing long-term strategies for acquiring, developing, and retaining staff. We have reported on the importance of strategic workforce planning for achieving an agency's mission and identified key principles for effective strategic workforce planning that describe important elements of a strategic workforce plan.⁴⁵ For example, the key principles state that agencies should develop strategies that are tailored to address gaps in the number, deployment, and alignment of human capital approaches, as well as monitor and evaluate the agency's progress toward its human capital goals. While USCIS has developed several strategic and operating plans that include workforce-related goals, it has not developed a strategic workforce plan that includes long-term strategies for acquiring, developing and retaining staff. For example:

- **USCIS Strategic Plan (fiscal years 2019–21):** The agency's Strategic Plan includes a goal to "strengthen investment in an empowered workforce to better accomplish the agency's mission" by, among other things, recruiting, developing, and retaining staff. The plan also states that reduction of the pending caseload is a measure of progress toward this goal. However, the Strategic Plan does not discuss how USCIS plans to achieve these workforce goals. USCIS relies on its directorates and offices to operationalize the USCIS Strategic Plan.⁴⁶

⁴⁴The USCIS Office of the Chief Financial Officer began tracking attrition rates for the Service Center Operations Directorate in fiscal year 2020.

⁴⁵[GAO-04-39](#).

⁴⁶U.S. Citizenship and Immigration Services, *2019-2021 Strategic Plan, U.S. Citizenship and Immigration Services*, (Washington, D.C.: Oct. 1, 2018).

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- **USCIS Directorate Operating Plans:** The USCIS Field Operations Directorate, Service Center Operations Directorate; and Refugee, Asylum and International Operations Directorate develop and implement annual operating plans to align with USCIS's Strategic Plan. These plans include goals related to training and developing staff. However, these plans do not include long-term strategies for acquiring, developing, and retaining staff. For example, the Field Operations Directorate and the Service Center Operations Directorate's operating plans cover a period of 1 fiscal year. The Refugee, Asylum and International Operations Directorate's operating plan covers a 3-year period, but its strategies related to workforce are limited to one short-term hiring initiative. USCIS human capital officials stated that USCIS does not require its directorates and program offices to include strategies for acquiring, developing, and retaining staff in their operational plans.
 - **USCIS' Office of Human Capital and Training Operating Plan:** The Office of Human Capital and Training develops and implements an annual operating plan that lists its goals and priorities. However, because the office's role is one of support and guidance, its operational plan does not include long-term workforce planning for the directorates.
 - **USCIS' Annual Operating Plan:** USCIS's Office of the Chief Financial Officer monitors the Annual Operating Plan and reports on the agency's performance in numerous areas. The Annual Operating Plan includes three performance targets related to completing hiring actions and new-hire training. While these targets are related to USCIS's workforce, the plan does not address long-term performance related to acquiring, developing, and retaining staff.

USCIS has faced long-term workforce challenges. For example, as shown above in table 4, USCIS's onboard staffing levels were consistently lower than authorized levels from fiscal years 2015 through 2020. USCIS field office, service center, and asylum officials we interviewed cited the length of the hiring process, delays in training new staff, and attrition as factors that contribute to these staffing challenges. For example, from fiscal years 2016 through 2019, the Refugee, Asylum and International Operations Directorate had an average of 42 percent attrition each year, while the Field Operations Directorate had an average of 10 percent. Moreover, officials at one field office told us that they experienced a large number of retirements and faced hiring delays while filling those positions, due to lengthy hiring processes. Officials from this

location also stated that the office's onboard staffing level was consistently below its authorized level.

USCIS's Staffing Allocation Model is a key tool for USCIS's short-term planning, to allocate staff on an annual basis. However, the model does not provide the long-term, strategic workforce planning that would position USCIS to address long-term workforce challenges and reduce its pending caseload. Developing a long-term plan for acquiring, developing, and retaining staff would better position USCIS to address these long-term challenges.

USCIS Has Not Fully Identified Resources Needed to Address Its Pending Caseload

USCIS has developed several potential plans to reduce its pending caseload but has not implemented the plans or identified the resources and funding that would be needed to address the pending caseload. For example, the Office of Management and Budget's Budget and Policy Guidance to the Department of Homeland Security for fiscal year 2019 requested that USCIS develop a "backlog reduction plan."⁴⁷ In response to this request, USCIS created a separate staffing model for backlog reduction with an accompanying plan, which described the staffing levels that USCIS would need in order to eliminate the backlog by fiscal year 2024. USCIS stated in the plan that it would need to hire an additional 2,177 adjudication and support positions to eliminate the backlog. However, USCIS officials stated that they were unable to implement the plan because USCIS was not financially or structurally poised to hire such a large number of staff, and the plan did not discuss the resources that would be needed to address those challenges.

In addition, in its fiscal year 2020 Budget and Policy Guidance to the Department of Homeland Security, the Office of Management and Budget requested that USCIS update the backlog reduction plan. In response, USCIS developed a new backlog reduction plan to reduce the backlog for domestic forms by 64 percent by 2024. However, USCIS officials stated that they did not implement the updated backlog reduction plan due to

⁴⁷USCIS defines the backlog as the volume of receipts that exceed unofficial, internal processing time goals, which are distinct from USCIS's Annual Operating Plan measures' targets used for monitoring and reporting performance. Applications and petitions that are not ready for adjudication due to visa number unavailability, or are outside of USCIS's control (pending Request for Evidence or reexamination for naturalization) are also not included in the backlog. U.S. Citizenship and Immigration Services, *Office of Management and Budget FY 2019 Passback Request, U.S. Citizenship and Immigration Services (USCIS), USCIS Backlog Reduction Plan: Fiscal Years 2019-2024* (Washington, D.C.: 2018).

budget and resource constraints. More recently, in May 2021, USCIS Office of the Chief Financial Officer officials told us that on April 30, 2021, the agency submitted to the Office of Management and Budget a backlog reduction plan covering fiscal years 2020-2027. USCIS officials said that this plan addresses staffing needs. However, officials also said that USCIS is still not poised to hire the needed staff due to insufficient resources, and USCIS officials did not know whether this plan would be shared with Congress.⁴⁸

Further, the Homeland Security Act of 2002 requires the Secretary of Homeland Security to annually report to the President and Congress on the impact the transfer of legacy Immigration and Naturalization Service functions to DHS has had on immigration functions.⁴⁹ This report is to include certain items, such as the aggregate number of applications and petitions received, and processed, as well as the quantity of backlogged immigration applications and petitions that have been processed, the aggregate number awaiting processing, and a detailed plan for eliminating the backlog.

In its fiscal year 2020 report responding to this reporting requirement, USCIS noted that it is implementing actions to increase productivity, such as increasing staff, rebalancing workloads among staff, and leveraging electronic processing and automation. However, it did not detail the resources that would be required to reduce the pending caseload. Rather, USCIS stated that it does not currently have the resources necessary to process its pending caseload and, therefore, applications would continue to be pending for a significant amount of time, and the backlog would continue to grow.

Office of Management and Budget guidance calls for agencies to identify the human capital management and development objectives, key activities, and associated resources that are needed to support agency accomplishment of programmatic goals.⁵⁰ USCIS's efforts to consider

⁴⁸DHS's fiscal year 2022 Congressional Budget Justification includes a request for \$345 million primarily to support application processing, the refugee program, and reduction of the case backlog.

⁴⁹Pub. L. No. 107-296, title IV, subtitle F, § 478, 116 Stat. 2135, 2211-12 (classified at 6 U.S.C. § 298). See U.S. Citizenship and Immigration Services, *Annual Report on the Impact of the Homeland Security Act on Immigration Functions Transferred to the Department of Homeland Security*, (Washington, D.C.: Apr. 29, 2020).

⁵⁰Office of Management and Budget, *Preparation, Submission, and Execution of the Budget*, OMB Circular A-11 (Washington, D.C.: 2018).

how it can use existing resources more efficiently are positive steps. However, given the size of USCIS's pending caseload, identifying all of the resources needed to address that caseload and informing the Office of Management and Budget and Congress would better position USCIS to address its pending caseload.

Conclusions

USCIS processes millions of applications and petitions for persons seeking to visit or reside in the U.S. and from permanent residents seeking to become U.S. citizens. The growth in USCIS's pending caseload and processing times impacts the individuals, families, and businesses who rely on the immigration system. USCIS currently estimates its total pending caseload because it does not maintain reliable case management information system data on older cases. While USCIS has begun an initiative to improve the quality of these data, developing a plan would help ensure that USCIS implements this initiative efficiently.

Further, USCIS has not developed and implemented timeliness performance measures for some forms, which limits its ability to monitor case processing timeliness. Developing and implementing timeliness performance measures for certain forms that have a significant number of pending cases could provide USCIS leadership with an understanding of areas that may require attention to improve. USCIS has developed a number of process improvement projects that are, in part, intended to increase efficiency in case processing. Developing performance measures to monitor the extent to which process improvement projects reduce case processing times would provide USCIS leadership with greater assurance that directorates are allocating limited resources toward projects that best achieve their desired results.

USCIS has developed staffing models for short-term workforce planning. However, these models do not incorporate key practices, such as incorporating risks to implementation related to hiring and staff attrition. Incorporating risk factors into the staffing models would improve the accuracy of USCIS's models and allow USCIS to better align its staff with its workload needs. Additionally, developing a long-term plan for acquiring, developing, and retaining staff would better position USCIS to address long-term challenges, such as attrition. Moreover, USCIS has not identified all of the associated resources that would be necessary to address its case backlog. Identifying these resources and informing both the Office of Management and Budget and Congress would better position USCIS to address its pending caseload.

Recommendations for Executive Action

We are making the following six recommendations to USCIS:

The Director of USCIS should develop and implement a plan with time frames for verifying and closing cases in CLAIMS-3 that are recorded inaccurately as pending. (Recommendation 1)

The Director of USCIS should develop and implement performance measures for monitoring and reporting the timeliness of processing applications and petitions that have significant pending caseloads. (Recommendation 2)

The Director of USCIS should develop performance measures for its process improvement projects to monitor the extent to which those projects reduce case processing times. (Recommendation 3)

The Director of USCIS should incorporate key risk factors, such as risks posed by hiring delays and attrition, into its staffing models. (Recommendation 4)

The Director of USCIS should develop a long-term workforce plan that includes strategies for acquiring, developing, and retaining staff. (Recommendation 5)

The Director of USCIS should identify the resources necessary to address its case backlog and inform key stakeholders, such as the Office of Management and Budget and Congress. (Recommendation 6)

Agency Comments and Our Evaluation

We provided a draft of this report to DHS for its review and comment. DHS provided written comments, which are reproduced in full in appendix III, and technical comments, which we incorporated as appropriate. In the written comments, DHS concurred with five of the six recommendations in the report and described actions underway or planned to address them. DHS did not concur with one recommendation in the report.

With regard to the first recommendation, that USCIS develop and implement a plan with time frames for verifying and closing cases in its case management system that are recorded incorrectly as pending, DHS concurred and stated that USCIS is implementing an automated process to administratively close these cases. Regarding the second recommendation, that USCIS develop and implement performance measures for monitoring and reporting the timeliness of processing applications and petitions that have significant pending caseloads, DHS

concurring and stated that USCIS will incorporate additional performance measures and targets into the agency performance management and planning process. For the third recommendation, that USCIS develop performance measures for its process improvement projects to monitor the extent to which those projects reduce case processing times, DHS concurred and stated that USCIS directorates will identify pilot projects to monitor, and then develop, performance measurement plans accordingly.

Regarding the fourth recommendation, that USCIS incorporate key risk factors, such as risks posed by hiring delays and attrition, into its staffing models, DHS concurred and stated that one of USCIS's two staffing models, the Backlog Elimination Model, incorporates attrition and onboarding rates. However, DHS also stated that USCIS's primary Staffing Allocation Model intentionally does not incorporate such risks because the model is also used to set fees. DHS stated that, in 2020, USCIS began creating 7-year staffing models, which will allow them to properly plan for risks moving forward. DHS requested that we consider the recommendation implemented. Once DHS provides documentation supporting these steps, we will assess the extent to which USCIS's actions fully address the recommendation.

With regard to the fifth recommendation, to develop a long-term workforce plan that includes strategies for acquiring, developing, and retaining staff, DHS did not concur. DHS stated that USCIS does not believe a long-term workforce plan is necessary and believes its current workforce planning activities meet its needs. DHS also noted that USCIS's workforce needs change frequently, in response to new laws and regulations, changes directed by the administration and changes in department priorities. DHS noted that USCIS has developed fiscal year 2021 hiring plans for its operational components and that USCIS's workforce planning activities are informed by other higher-level plans, such as the DHS Strategic Plan and the USCIS Strategic Plan. While USCIS's specific workforce needs and mission priorities may change from year to year, USCIS has consistently faced workforce challenges related to attrition, difficulty in hiring to authorized staffing levels, and increases in pending caseloads, as discussed in this report. As we have previously reported, strategic workforce planning addresses the critical need of developing long-term strategies for acquiring, developing, and retaining staff to achieve programmatic goals. While developing short-term hiring plans and consulting higher-level plans are positive steps, we continue to believe that it is important for USCIS to develop long-term workforce goals and strategies in order to address these long-standing challenges.

With regard to our sixth recommendation that USCIS identify resources necessary to address its case backlog and inform key stakeholders such as the Office of Management and Budget and Congress, DHS concurred and stated that USCIS has communicated to the Office of Management and Budget the resources required to eliminate the backlog over a sustained, multiyear effort. DHS also stated that the fiscal year 2022 President's Budget includes a request to Congress for \$345 million to support application processing, reduction of backlogs, and refugee program operations. DHS requested that we consider the recommendation implemented. Once DHS provides documentation supporting these steps, such as plans detailing the resources it needs to reduce the pending caseload, documentation that it communicated those resources to Congress, and relevant spend plans, we will assess the extent to which USCIS's actions fully address the recommendation.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution of it until 30 days from its date. At that time, we will send copies to the Secretary of Homeland Security and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-8777 or GamblerR@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix IV.

A handwritten signature in black ink that reads "Rebecca Gambler". The signature is written in a cursive, flowing style.

Rebecca Gambler
Director, Homeland Security and Justice

List of Requesters

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
House of Representatives

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
House of Representatives

The Honorable Nanette Diaz Barragán
House of Representatives

The Honorable Donald S. Beyer, Jr.
House of Representatives

The Honorable Earl Blumenauer
House of Representatives

The Honorable Suzanne Bonamici
House of Representatives

The Honorable Anthony Brown
House of Representatives

The Honorable Julia Brownley
House of Representatives

The Honorable Salud Carbajal
House of Representatives

The Honorable Tony Cárdenas
House of Representatives

The Honorable Ed Case
House of Representatives

The Honorable Joaquin Castro
House of Representatives

The Honorable Judy Chu
House of Representatives

The Honorable David N. Cicilline
House of Representatives

The Honorable Katherine Clark
House of Representatives

The Honorable Emanuel Cleaver
House of Representatives

The Honorable Bonnie Watson Coleman
House of Representatives

The Honorable Jim Cooper
House of Representatives

The Honorable J. Luis Correa
House of Representatives

The Honorable Jason Crow
House of Representatives

The Honorable Henry Cuellar
House of Representatives

The Honorable Peter A. DeFazio
House of Representatives

The Honorable Lloyd Doggett
House of Representatives

The Honorable Veronica Escobar
House of Representatives

The Honorable Anna G. Eshoo
House of Representatives

The Honorable Adriano Espaillat
House of Representatives

The Honorable Dwight Evans
House of Representatives

The Honorable Lizzie Fletcher
House of Representatives

The Honorable Ruben Gallego
House of Representatives

The Honorable John Garamendi
House of Representatives

The Honorable Jesús G. Garcia
House of Representatives

The Honorable Sylvia R. Garcia
House of Representatives

The Honorable Jimmy Gomez
House of Representatives

The Honorable Vicente Gonzalez
House of Representatives

The Honorable Raúl M. Grijalva
House of Representatives

The Honorable Jahana Hayes
House of Representatives

The Honorable Pramila Jayapal
House of Representatives

The Honorable Eddie Bernice Johnson
House of Representatives

The Honorable Ro Khanna
House of Representatives

The Honorable Rick Larsen
House of Representatives

The Honorable Barbara Lee
House of Representatives

The Honorable Ted W. Lieu
House of Representatives

The Honorable Zoe Lofgren
House of Representatives

The Honorable A. Donald McEachin
House of Representatives

The Honorable James P. McGovern
House of Representatives

The Honorable Jerry McNerney
House of Representatives

The Honorable Gwen Moore
House of Representatives

The Honorable Grace F. Napolitano
House of Representatives

The Honorable Eleanor Holmes Norton
House of Representatives

The Honorable Alexandria Ocasio-Cortez
House of Representatives

The Honorable Ilhan Omar
House of Representatives

The Honorable Scott H. Peters
House of Representatives

The Honorable Chellie Pingree
House of Representatives

The Honorable Ayanna Pressley
House of Representatives

The Honorable Jamie Raskin
House of Representatives

The Honorable Kathleen M. Rice
House of Representatives

The Honorable Linda T. Sánchez
House of Representatives

The Honorable Jan Schakowsky
House of Representatives

The Honorable Kurt Schrader
House of Representatives

The Honorable Kim Schrier
House of Representatives

The Honorable Terri A. Sewell
House of Representatives

The Honorable Adam Smith
House of Representatives

The Honorable Darren Soto
House of Representatives

The Honorable Greg Stanton
House of Representatives

The Honorable Dina Titus
House of Representatives

The Honorable Paul D. Tonko
House of Representatives

The Honorable Norma J. Torres
House of Representatives

The Honorable Lori Trahan
House of Representatives

The Honorable Juan Vargas
House of Representatives

The Honorable Nydia M. Velázquez
House of Representatives

The Honorable Peter Welch
House of Representatives

The Honorable John Yarmuth
House of Representatives

Appendix I: Objectives, Scope, and Methodology

We were asked to review U.S. Citizenship and Immigration Services' (USCIS) pending caseload. This report addresses the following questions: (1) What do USCIS data indicate about the agency's caseload, including its pending caseload, and what factors have affected it? (2) How does USCIS monitor its case processing operations, including its efforts to reduce its pending caseload? (3) To what extent has USCIS implemented workforce planning and hiring strategies that address its pending caseload?

For all three objectives, we interviewed officials from USCIS program offices and directorates, including the Office of Performance and Quality (OPQ); Office of the Chief Financial Officer; Office of Human Capital and Training; Field Operations Directorate; Service Center Operations Directorate; and Refugee, Asylum and International Operations Directorate. We also obtained field-level perspectives from supervisory immigration and asylum officers; immigration and asylum officers (adjudicators); and support staff in eight field offices, asylum offices, and service centers (field locations)—the Houston Field Office, Newark Field Office, San Francisco Field Office, National Benefits Center, Houston Asylum Office, Miami Asylum Office, New York Asylum Office, and Nebraska Service Center. We selected these field locations on the basis of their relatively high volumes of receipts and pending cases in fiscal year 2019—the most recent USCIS summary data available at the time of our review—as well as geographic dispersion. During these interviews, we discussed topics related to USCIS's workload and pending caseload, process improvement efforts, and workforce. The information we obtained in these interviews are not generalizable to all USCIS field locations but provide valuable insights from supervisors, adjudicators, and support staff who have experience processing applications and petitions for USCIS.

For all three objectives, we also interviewed three external stakeholder organizations that work directly with USCIS, applicants, and petitioners to obtain perspectives on factors that may have contributed to changes in USCIS's pending caseload or processing times. We identified organizations by reviewing organizations' websites and published work, and searching organizational databases. We selected these external stakeholder organizations on the basis of the relevance of their missions and activities to our review and tenure of experience. We interviewed representatives from the American Immigration Lawyers Association; Catholic Legal Immigration Network, Inc.; and National Immigrant Justice Center. During these interviews, we discussed topics related to USCIS's pending caseload, processing times, and applicants' and petitioners' experiences navigating USCIS's application and petition processes.

These entities are not representative of the universe of stakeholders of USCIS and, therefore, may not represent all views on this topic; however, their views provide insights on factors that have influenced USCIS's pending caseload.

To address the first objective, we obtained and analyzed data and documentation from USCIS, including USCIS's summary-level data (data compiled and reported by USCIS) on its total pending caseload by form-type for fiscal years 2015 through 2020, and record-level data from USCIS's four primary case management systems from fiscal year 2015 through the second quarter of fiscal year 2020 (March 2020)—the most recent period for which complete data were available at the time of our review. Specifically, we obtained data from Computer Linked Adjudication Information Management System (CLAIMS)-3, CLAIMS-4, Electronic Immigration System (ELIS), and Global, which collectively contained over 99 percent of USCIS's case records during this period.¹ We received data from CLAIMS-3 on September 8, 2020, and additional tables on November 17, 2020. We received CLAIMS-4 data on August 26, 2020, and additional tables on September 21, 2020. We received data from ELIS on September 9, 2020, and September 16, 2020. We received Global data on August 14, 2020, and additional tables on September 28, 2020; October 14, 2020; and November 13, 2020.

We assessed the reliability of the summary-level and record-level data by (1) performing electronic testing; (2) reviewing USCIS documentation on its case management systems; and (3) interviewing and obtaining information from USCIS officials on how the data are collected, used, and assessed for reliability. Our data reliability steps demonstrated that record-level case completion data in CLAIMS-3 are incomplete for cases prior to fiscal year 2015, so we could not calculate USCIS's pending caseload. We discussed with officials USCIS's process for estimating the pending caseload and determined that USCIS's summary-level estimates on pending cases were sufficiently reliable to describe trends. We determined that USCIS's record-level data on receipts, form-types, and dates for certain stages of the case process were reliable for the purposes of describing the volume and composition of USCIS's caseload

¹USCIS decommissioned CLAIMS-4 on September 30, 2020, at which time USCIS transferred CLAIMS-4 pending cases to ELIS. Historic data from CLAIMS-4 are retained in a data repository. The case management systems other than CLAIMS-3, CLAIMS-4, ELIS, and Global encompassed less than 1 percent of USCIS' fiscal year 2019 case receipts and pending caseload as of the end of fiscal year 2019.

and measuring the duration of the adjudication process from beginning to end and by process stage such as receipt to interview completion.

We analyzed these data to assess the volume and composition of USCIS's receipts and completions from fiscal year 2015 through the second quarter of fiscal year 2020. We also selected seven form-types for a more in-depth analysis of USCIS's case processing times and the duration of specific steps within the adjudication process. To select these form-types, we reviewed fiscal year 2019 summary-level data on USCIS's receipts and pending caseloads and selected forms that cumulatively covered the majority of USCIS's receipts and pending caseload.² The selected forms collectively comprised over 70 percent of USCIS's pending caseload. To account for the breadth of USCIS's workload, we selected at least one form from USCIS's major service categories.³ We selected the following forms for the in-depth analysis:

- Application for Naturalization (Form N-400)
- Application to Replace Permanent Resident Card (Form I-90)
- Application to Register Permanent Residence or Adjust Status (Form I-485)
- Petition for a Nonimmigrant Worker (Form I-129)
- Petition for Alien Relative (Form I-130)
- Application for Asylum and for Withholding of Removal (Form I-589)
- Application for Employment Authorization (Form I-765)

Some of the forms in our in-depth analysis of record-level data were adjudicated in more than one system during our scope, so we combined data across these systems to calculate receipts, completions, and the duration of case processing steps. Table 5 lists the forms selected for our analysis and the system or systems in which they appeared.

²Fiscal year 2019 data were the most recent and complete data available at the time we selected the forms to include in this analysis.

³USCIS service categories include citizenship and nationality, family-based, employment-based, and humanitarian.

Table 5: Selected U.S. Citizenship and Immigration Services' (USCIS) Forms, by Case Management System

USCIS form	Case Management System
I-129, Petition for a Nonimmigrant Worker	From Computer Linked Adjudication Information Management System 3 (CLAIMS-3)
I-130, Petition for Alien Relative	CLAIMS-3, Electronic Immigration System (ELIS)
I-485, Application to Register Permanent Residence or Adjust Status	CLAIMS-3, ELIS
I-589, Application for Asylum and for Withholding of Removal	Global
I-765, Application for Employment Authorization	CLAIMS-3, ELIS
I-90, Application to Replace Permanent Resident Card	CLAIMS-3, ELIS
N-400, Application for Naturalization	CLAIMS-4, ELIS

Source: GAO analysis of USCIS information. | GAO-21-529

Note: Forms listing two case management systems transitioned to ELIS between October 2015 and March 2020.

For each analysis, we consulted with the four case management system owners to ascertain (1) which tables within each database held the data relevant to our review objectives and which tables held supporting information (such as forms and location), and (2) which fields were necessary to combine database tables.

To analyze the volume and composition of USCIS receipts and case completions, we analyzed data for all form-types contained within the four case management systems listed above. To determine receipt dates, we selected the earliest receipt date in each case record. For case completions, we selected the date of the most recent decision for each case record.

For the in-depth analysis of specific form times, we calculated median processing times for each form and the median duration between receipt and interview completion over time. To calculate the processing time of each case, we computed the number of days that had elapsed between the receipt date and the decision date. For this analysis, we assigned the fiscal year according to the fiscal year when cases were completed. We excluded case records with no decision date from this analysis. We also

excluded from this analysis cases with decision dates that preceded their receipt dates.

To analyze the duration from receipt date to interview completion, we identified cases in each of the case management systems that had a completed interview date. We then computed the number of days that had elapsed between the receipt date and the latest date an interview had been conducted for each case. From those values, we derived medians reported by the fiscal year in which the interview was completed.

We also interviewed USCIS officials and external stakeholder organizations on the factors contributing to USCIS's pending caseload and longer processing times. Additionally, we reviewed documentation on USCIS's case management systems and data collection and reporting efforts to assess the extent to which USCIS's data improvement efforts follow the Project Management Institute's project management principles.⁴

To address the second objective, we reviewed USCIS policies and procedures for managing and overseeing its case processing operations, such as policies related to processing specific forms, internal management reviews, and performance management and reporting. To further assess performance management and reporting, we reviewed USCIS's strategic and operational plans and other documents to identify USCIS's performance measures and targets related to timeliness of case processing. We assessed how USCIS tracks and reports its progress in meeting those targets and the extent to which its performance measurement efforts reflect performance measurement principles outlined in the Government Performance and Results Act of 1993 (GPRA), as updated by the GPRA Modernization Act of 2010 (GPRAMA).⁵ To assess USCIS's efforts to reduce the pending caseload, we reviewed agency documents and interviewed directorate-level officials about USCIS's process improvement efforts and other planned or ongoing initiatives that are intended to reduce the pending caseload. We also assessed the extent to which USCIS follows principles outlined in

⁴Project Management Institute, *A Guide to the Project Management Body of Knowledge (PMBOK® Guide)*, 6th ed. (2017). PMBOK is a trademark of the Project Management Institute, Inc.

⁵GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014); Pub. L. No. 103-62, 107 Stat. 285, as updated by Pub. L. No. 111-352, 124 Stat. 3866 (2011).

GPRAMA, such as monitoring for desired results, when overseeing these efforts and initiatives.⁶

To address the third objective, we reviewed USCIS workforce planning documents and interviewed headquarters and field location officials about USCIS's workforce strategies. We evaluated the extent to which USCIS's workforce planning efforts adhere to key principles for human capital and workforce planning. We developed these key principles for human capital and workforce planning and have reported on them in prior work, or developed as part of the analysis but not reported, in previous evaluations of agency staffing models and strategic human capital plans.⁷ We reviewed these principles and summarized principles that we found relevant to USCIS workforce planning.

To evaluate the extent to which USCIS's Staffing Allocation Models incorporate key principles, we reviewed the underlying data and methodologies used in the model to assess how USCIS incorporates the pending caseload, staff attrition, hiring delays, and other factors that can impact its implementation. For our evaluation of USCIS's staffing model, we assessed the model against our criteria on key principles for staffing allocation models. We used the following scale in table 6 to evaluate USCIS's workforce planning efforts against the key principles.

⁶Project Management Institute, *A Guide to the Project Management Body of Knowledge* (PMBOK® Guide), Sixth Ed. (2017). PMBOK is a trademark of the Project Management Institute, Inc.

⁷We identified the key principles from our previous reports that discussed staffing models. These reports include GAO, *Federal Protective Service: Enhancements to Performance Measures and Data Quality Processes Could Improve Human Capital Planning*, [GAO-16-384](#) (Washington, D.C.: Mar. 24, 2016); *DOJ Workforce Planning: Grant-Making Components Should Enhance the Utility of Their Staffing Models*, [GAO-13-92](#) (Washington, D.C.: Dec. 14, 2012); and *Homeland Security: Preliminary Observations on the Federal Protective Service's Workforce Analysis and Planning Efforts*, [GAO-10-802R](#) (Washington, D.C.: June 14, 2010).

Table 6: Definitions of Met, Partially Met, or Not Met Used to Assess U.S. Citizenship and Immigration Services' (USCIS) Staffing Allocation Models

Category	Definition
Met	Documents and interviews with USCIS officials demonstrated that agency directorates responsible for adjudicating immigration benefits incorporate the principle into their staffing allocation models.
Partially met	Documents and interviews with USCIS officials demonstrated that agency directorates responsible for adjudicating immigration benefits incorporate some aspects of the principle into their staffing models.
Not met	Documents and interviews with USCIS officials demonstrated that agency directorates responsible for adjudicating immigration benefits did not incorporate the principle into their staffing models.

Source: GAO analysis of USCIS information. | GAO-21-529

To evaluate USCIS's strategic human capital planning efforts, we reviewed USCIS strategic and operational plans to describe long-term planning efforts to address human capital challenges such as hiring delays and staff attrition. We also assessed the extent to which these planning documents adhere to key principles for effective strategic workforce planning. We also obtained and analyzed USCIS human capital data on USCIS authorized and onboard staffing levels from fiscal year 2015 through the second quarter of fiscal year 2020. We assessed the reliability of these data by reviewing related documentation and interviewing knowledgeable USCIS officials on how they compile and manage human capital data. We found the data were sufficiently reliable for the purpose of comparing, by fiscal year, the onboard and authorized staffing levels of directorates responsible for adjudicating immigration benefits. In addition, we analyzed USCIS's plans for addressing its pending caseload and compared them with Office of Management and Budget guidance.⁸

We conducted this performance audit from January 2019 to August 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

⁸Office of Management and Budget, *Preparation, Submission, and Execution of the Budget*, OMB Circular A-11 (Washington, D.C.: 2018).

Appendix II: U.S. Citizenship and Immigration Services' (USCIS) Directorate Case Processing Improvement Projects

The USCIS directorates responsible for adjudication—the Field Operations Directorate; the Refugee, Asylum and International Operations Directorate; and the Service Center Operations Directorate—have developed process improvement projects that are intended, in part, to improve the quality and efficiency of its case management process. As shown in tables 7 through 9, these projects include initiatives to allow USCIS to adjudicate applications more efficiently.

Table 7: U.S. Citizenship and Immigration Services' (USCIS) Field Operations Directorate's Adjudication Service Blueprint

Initiative	Description	Status
Incomplete filings reduction	Application to Register Permanent Residence or Adjust Status (I-485): Enhance National Benefit Center rejection criteria used to evaluate filings at the time of initial receipt and enhance denial criteria to allow for early denial of incomplete filings.	Completed
Interview expansion	Focus on the Field Operations Directorate's people, processes, and technology to incrementally and strategically expand the interview workload.	Completed
Supervisory support	Provide a training framework to support first-line supervisors in managing and supporting their team members through the changes expected as a result of the Blueprint.	Completed
Information services modernization	Save time for applicants and staff by using the USCIS Contact Center and online tools to resolve general inquires when an in-person office visit is unnecessary.	Completed
Segmented business process	Increase efficiency and quality of the adjudicative process through risk identification, assessment, and customized case handling. These projects collectively establish a new adjudicative model for family-based Adjustment of Status cases.	Completed May 2021
Leveraging and enhancing risk-based assessments	Provides offices with value added work that can be performed by nonadjudicators at any time and by adjudicators once an office has completed its decisional workload, provided they have access to the necessary electronic systems. Participating employees will complete manual risk-based assessments of family-based I-485s, which will allow field offices to customize interview lengths and enhance adjudicator ability to efficiently prepare for and conduct interviews.	Completed
Eligibility prescreen indicator checks	Assess eligibility for certain N-400/Applications for Naturalization at National Benefits Center prior to routing the cases to the field office for interview, with a goal of reducing interview times, increasing interview volume, and decreasing file movement within the agency.	Completed National Benefits Center stopped performing eligibility assessments at end of the project.
Staffing optimization for interviews	Replace manual staff scheduling methods used in the field with an integrated calendar tool that provides staff availability, skill set, and caseload.	Not completed Pilot completed June 2020
Formalized check-in	Move tasks out of the traditional interview setting and into stages of a new check-in process, allowing adjudicators to focus on eligibility requirements, fraud detection, and making fair and lawful adjudicative decisions.	Completed September 2020

Appendix II: U.S. Citizenship and Immigration Services' (USCIS) Directorate Case Processing Improvement Projects

Initiative	Description	Status
Centralized certificate printing	Evaluate options for developing and resourcing a centralized location to print and distribute Certificates of Citizenship.	Completed September 2020
Remote Notice to Appear processing	Experiment with remote processing of Notice to Appear at one national location to determine the full resource requirements for the significant projected increase in the number of notices issued each year and to develop recommendations about whether, where, and how to implement a permanent Remote Processing Center.	Completed March 2021
Centralized post interview processing	Experiment with shifting post-interview casework that can be completed without the presence of a paper file, including Notices to Appear on appropriate cases, to a centralized location or another office, with the goal of wrapping up cases in a more efficient and effective manner, while creating adjudicative capacity where needed.	Not completed Pilot completed April 2021
Blueprint Fellows	Establish a network of communicators, called "Blueprint Fellows," to provide all the Field Operations Directorate staff with information and updates about the Blueprint and related projects and to collect staff feedback and ideas. The Field Operations Directorate does not have a scalable process for communicating basic information and regular updates about the USCIS Adjudication Service Blueprint beyond Region/District- level leadership to field office directors and field level staff.	Completed January 2021
Model office	Find more efficient ways to utilize existing physical office space and plan for future space needs.	Completed January 2021
Video-facilitated interviews	Identify alternative ways to conduct interviews which have traditionally been conducted in a face-to-face setting.	Not completed Pilot completed April 2020

Source: GAO analysis of USCIS information. | GAO-21-529

Appendix II: U.S. Citizenship and Immigration Services' (USCIS) Directorate Case Processing Improvement Projects

Table 8: U.S. Citizenship and Immigration Services' (USCIS) Refugee, Asylum and International Operations Ignite Initiatives' Statuses

Concept	Description	Status
Pitch councils	Empower staff at each office to design innovations to address production efficiencies and personnel issues by creating local Pitch Councils. Each council will be composed of local office staff who solicit and review innovative ideas from their office, and allocate time for staff to develop the concepts deemed most promising for implementation.	Not completed: First pilot completed in March 2020. Reiterated program design and launched second pilot in March 2021.
Passport	Provides staff the opportunity to do short-term details at other offices within the Refugee, Asylum and International Operations Directorate to identify best practices that can be taken back to their office.	Not completed: First pilot conducted in October 2019 with the exchange of four staff members between the Los Angeles and Newark Asylum Offices. Reiterated program design and launched second pilot in March 2021 with the exchange of five staff members. Feedback currently being incorporated into next iteration of pilot.
Regional specialization	Teams of adjudicators receive in-depth specialized training on specific case-types, and then spend an extended period of time focusing on cases from that region of the world. The project is designed to improve the quality of adjudication for challenging cases or those with a high priority to the agency.	Not completed: First pilot conducted at New York Asylum Office in October 2019. Pilot is being transitioned to the Refugee, Asylum and International Operations Directorate Research Unit for full implementation. Second pilot launched at the Los Angeles Asylum Office in March 2021.

Source: GAO analysis of USCIS information. | GAO-21-529

Appendix II: U.S. Citizenship and Immigration Services' (USCIS) Directorate Case Processing Improvement Projects

Table 9: U.S. Citizenship and Immigration Service's (USCIS) Service Center Operations Service Design

Initiative	Description	Status
National production dataset	Develop a single source of validated data and reporting.	Completed
Analyst development program	Design a training curriculum for current and future analysts with clear goals and expectations at each stage of career.	Completed
Update position descriptions	Update position descriptions to ensure clarity and consistency and identify new or updated positions.	Not completed. Scheduled for completion by September 2021.
Tailored recruiting and job placement	Develop a recruiting strategy and apply to critical positions. Create a process for existing employees to transition to positions based on professional interests and skills.	Not completed. Scheduled for completion by September 2021.
Case scanning initiative	Develop a method to intake paper forms and digitize them in a manner suitable for adjudication, as well as manage the through decision and recordkeeping.	Completed
Service center of the future	Develop a White Paper for the future design of service centers, and consider lessons learned from COVID-19.	Completed
Digital onboarding redesign	Redesign the onboarding process for new staff remotely, not requiring an employee to enter on-site at a service center.	Not completed. Scheduled for completion by December 2021.

Source: GAO analysis of USCIS information | GAO-21-529.

Appendix III: Comments from the Department of Homeland Security

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

July 29, 2021

Rebecca Gambler
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Re: Management Response to Draft Report GAO-21-529, "U.S. CITIZENSHIP AND IMMIGRATION SERVICES: Actions Needed to Address Pending Caseload"

Dear Ms. Gambler:

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

The Department is pleased to note GAO's recognition of the multiple process improvement projects across all U.S. Citizenship and Immigration Services' (USCIS) operational directorates. Several factors contributed to the growth of pending caseloads over time, such as an unanticipated spike in new cases accompanied by the ever-increasing complexity of case adjudications resulting from increases in form length, statutory changes, policy changes, and increased security checks. In addition, the injunction against the 2020 Fee Rule resulted in a situation in which fees currently being collected do not recover the total cost of adjudication, hindering USCIS' ability to increase staffing levels commensurate with an increased workload.

USCIS remains firmly committed to improving the quality and efficiency of the case management process as it addresses these and other factors, such as the challenges presented by the Coronavirus Disease 2019 (COVID-19) pandemic. As a result of the pandemic, USCIS experienced a significant drop in revenues during the Spring of FY 2020 and instituted a one-year hiring freeze. Field offices were closed from mid-March to early June 2020, which increased the backlog by halting nearly all in-person services. USCIS Application Support Centers were also closed from mid-March to July 2020, which resulted in a high volume of cases pending biometrics collection. Since USCIS began reopening offices to the public in June 2020, social distancing guidelines continue to reduce capacity and productivity for interview-dependent work.

**Appendix III: Comments from the Department
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In response to COVID-19 challenges, USCIS adjusted its operations in innovative ways, such as:

- Expanding interview waiver criteria;
- Hosting drive-through oath ceremonies;
- Allowing for biometrics reuse for applications when collecting new biometrics was not possible;
- Prioritizing online filing;
- Facilitating remote appearances of legal representatives; and
- Conducting pilot programs for remote interviews.

Additionally, USCIS deployed new technology for video interviews for naturalization applicants and affirmative asylum applicants. The technology allowed both the applicant and USCIS interviewing officer to be in the same USCIS facility but different rooms. As a result, USCIS processed over 180,000 naturalization applications between March and April 2021, representing a return to pre-pandemic levels for completing naturalization applications. During the week of July 4, 2021, USCIS celebrated Independence Day by welcoming more than 9,400 new citizens during 170 naturalization ceremonies. And as of the end of June 2021, USCIS completed approximately 17,500 affirmative asylum cases via video interviews.

Through its continued focus on process improvement and removing unnecessary barriers, USCIS aims to reduce processing times and pending caseloads. USCIS recognizes the difficulties that delays can place on the communities that it serves and understands that improvements can be made to monitoring and measuring progress on case backlogs. It is important to note, however, that process improvements do not occur in isolation, and USCIS' efforts can be offset by other external factors, such as a surge in new cases or a new law or policy that requires additional resources to implement.

The draft report contained six recommendations, including five with which the Department concurs and one with which it non-concurs. Attached find our detailed response to each recommendation. DHS previously submitted technical comments addressing several accuracy, contextual, and other issues under a separate cover for GAO's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Sincerely,

JIM H CRUMPACKER
Digitally signed by JIM H
CRUMPACKER
Date: 2021.07.29 15:54:41 -04'00'

JIM H. CRUMPACKER, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Attachment

2

**Attachment: Management Response to Recommendations
Contained in GAO-21-529**

GAO recommended that the Director of USCIS:

Recommendation 1: Develop and implement a plan with time frames for verifying and closing cases in CLAIMS[Computer Linked Adjudication Information Management System]-3 that are recorded inaccurately as pending.

Response: Concur. In May 2020, USCIS began efforts to close cases in CLAIMS-3 that were recorded inaccurately as pending. For example, the USCIS Data Management Council signed a Memorandum of Record (Memo) to administratively close these cases. USCIS developed and implemented a rigorous process to identify, review, and close cases and ensure that these cases were properly managed. The manual process includes internal performance analysis, peer reviews, and quality checks prior to closing the cases in CLAIMS-3. Service Center Operations Directorate (SCOPS) and the Office of Information Technology (OIT) are the primary stakeholders in this process. As of June 2021, USCIS has closed more than 4 million cases. OIT anticipates closing the remaining cases identified in the Memo by September 30, 2021.

USCIS' Office of Performance and Quality (OPQ), SCOPS, and OIT are also working together to build an automated process to replace the manual process currently in place. As the manual process, the automated process will administratively close cases identified in the Memo that are inaccurately recorded as pending and, in the future, will proactively identify cases that may be inaccurately recorded as pending. The proactive administrative closures will mitigate the risk of inaccurately recording cases as pending and increase the agency's pending caseload reporting accuracy. Estimated Completion Date (ECD): June 30, 2022.

Recommendation 2: Develop and implement performance measures for monitoring and reporting the timeliness of processing applications and petitions that have significant pending caseloads.

Response: Concur. USCIS currently has robust external and internal processes for monitoring and reporting on the timeliness of processing applications, petitions, and requests. Externally, USCIS posts historical and current processing times¹ for 27 forms and their subtypes on USCIS.gov. USCIS also offers a Check Case Processing Times² feature on its website that allows benefit requestors to select a form and the local field office or service center to obtain an estimated time range for their application or petition. Additionally,

¹ See <https://egov.uscis.gov/processing-times/historic-pt>

² See <https://egov.uscis.gov/processing-times/>

**Appendix III: Comments from the Department
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USCIS posts quarterly reports on the total pending caseload by form and began including case processing times during FY 2021.³

Internally, USCIS monitors several agency operating plan performance measures on timeliness for Form N-400, Application for Naturalization, Form I-140, Immigrant Petition for Alien Worker, Form I-485, Application to Register Permanent Residence or Adjust Status, and Form I-129, Petition for a Nonimmigrant Worker. In addition, processing time targets are tracked monthly by the Office of Performance and Quality (OPQ) for all forms and published in the National Performance Report that is available electronically for all staff agency wide. Pending applications and petitions that fall outside of the targets are also available in the National Performance Report, which analysts use enterprise-wide to monitor productivity. Beginning in FY 2020, the USCIS Office of the Chief Data Officer (OCDO) developed a series of enterprise-wide dashboards for leadership and analysts to monitor receipts, pending cases by form (including those beyond target processing times), case completions, cases in the Application Support Center queue, and cases awaiting processing at the Lockboxes in an effort to promote better awareness and transparency across USCIS of its production environment.

USCIS will build on these existing efforts to ensure that USCIS has performance measures for monitoring and reporting the timeliness of processing applications and petitions that have significant pending caseloads. OPQ will coordinate with the operational directorates to assess the current processing time targets for major forms and develop performance measures. USCIS will incorporate these additional performance measures and targets into the agency performance management and planning process beginning in FY 2023. ECD: September 30, 2022.

Recommendation 3: Develop performance measures for its process improvement projects to monitor the extent to which those projects reduce case processing times.

Response: Concur. USCIS regularly conducts process improvement projects to enable more efficient utilization and allocation of adjudicative resources; and improve adjudication accuracy. USCIS also tracks several performance measures as an integral part of managing its operational mission. For example, processing times measure the number of days between when a case was properly received and when a final adjudication was determined, and completion rates measure the average amount of time that adjudicators need to process. These performance measures are currently tracked across most form types that USCIS adjudicates.

In order to develop performance measures that would measure the extent to which process improvement projects reduce case processing times, OPQ will work with the operational directorates to identify pilot projects for measurement by March 31, 2022 and then develop performance measurement project plans for these projects. USCIS expects to rely on existing

³ See the quarterly "All USCIS Application and Petition Form Types" report at <https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data>.

performance measures, as monitoring changes in these performance measures could provide information to assess the impact process improvement projects have on USCIS operations. USCIS also recognizes that external factors, such as policy changes and unexpected increases in applications and petitions, can also affect performance measures. USCIS plans to examine these external factors because of the challenges, if not the impossibility, of measuring their influence and impact on a particular project or initiative. ECD: September 30, 2022.

Recommendation 4: Incorporate key risk factors, such as risks posed by hiring delays and attrition, into its staffing models.

Response: Concur. USCIS employs two models to estimate staffing—the Staffing Allocation Model (SAM) and the Backlog Elimination Model. While USCIS monitors and assesses the effect of hiring delays and attrition on the agency mission, the SAM intentionally does not account for risks associated with hiring delays or attrition. The fundamental purpose of the SAM is to determine the number of staff needed to complete all incoming work within the year that it is received, assuming the directorates are fully staffed at the outset of the year. The SAM staffing projections are used in fee reviews and fee rules to set the fees for forms to ensure USCIS is properly funded to achieve its mission. The SAM focuses on projected future work because the fees for pending cases have already been collected.

Since 2017, the SAMs have provided multi-year staffing projections. The models from FYs 2017 to 2019 offered two-year forecasts, and since 2020, the SAMs have provided seven-year staffing forecasts. Multi-year, long-term staffing forecasts allow USCIS to plan for changing staffing requirements and properly plan for known resource risks such as attrition or hiring delays. Further, if an operational directorate cannot maintain a fully staffed posture, other avenues for completing the work are available to them that are not modeled in the SAM, such as authorizing overtime. Additionally, these multi-year staffing projections allow USCIS to plan for facility needs to ensure space is available for new staff, whether by reconfiguring existing space or acquiring new space.

The Backlog Elimination Model factors in attrition and onboarding rates, since the purpose of this model is to determine the number of staff needed to eliminate the backlog within a specific timeframe.

DHS requests that GAO consider this recommendation resolved and closed, as implemented.

Recommendation 5: Develop a long-term workforce plan that includes strategies for acquiring, developing, and retaining staff.

Response: Non-Concur. USCIS leadership disagrees that a long-term workforce plan is necessary and believes that its current workforce planning activities meet its needs to acquire, develop, and retain staff.

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Workforce planning at USCIS is an ongoing, daily activity, and the occupations needed by USCIS or the mission functions that the agency is focusing on can change from year to year. USCIS' staffing levels have increased as new laws and regulations have expanded the USCIS portfolio, and changes directed by the administration and department priorities can sometimes require the agency to pivot its mission priorities abruptly.

Because of this ever-changing environment, USCIS relies on multiple sources of information to inform its annual human capital operating plans. USCIS analyzes human resources data and trends on attrition and retirement eligibility that can offer predictions about its future workforce. USCIS also considers other specific factors, such as the grade level of unencumbered positions, to properly determine targeted recruitment efforts for a given occupation and grade level. During FY 2021, the USCIS Office of Human Capital and Training (HCT) worked with USCIS' operational components to produce hiring plans that prioritized its mission critical occupations. These real-time plans take into account current directives, expectations, goals to be achieved, activities in support of the goals, and the timeline to complete the associated activities. Such plans best support USCIS' ability to be flexible and support the overall USCIS mission. The analysis also provides more focused recruitment through specific entities, periodicals, social media platforms, and other avenues. Further, the strategies relied on for developing and retaining staff are the same, whether in the short or long term.

In addition, USCIS follows Executive Order 13781, "Comprehensive Plan for Reorganizing the Executive Branch," dated March 13, 2017, which directs departments and agencies to eliminate cascading "plans" and instead defer to high-level planning and produce lower-level annual operating plans to perform the activities that accomplish mission goals, using the identified strategies in the higher-level plan. HCT relies on the DHS Strategic Plan, the USCIS Strategic Plan, and the DHS Human Capital Operational Plan. For example, the DHS Human Capital Operation Plan requires Components to maintain a 95 percent fill rate for Priority Mission Critical Occupations (PMCOs). At USCIS, the one PMCO is the Immigration Services Officer (GS-1801).

USCIS recently established a Human Resources Information Technology (HRIT) division within HCT. The HRIT collaborates with the DHS HRIT and the USCIS OCDO to provide systems and data for the workforce. This will include providing real-time data to inform leadership decisions on human capital activities such as hiring, recruitment, training, retention, and separation.

DHS requests that GAO consider this recommendation resolved and closed, as implemented.

Recommendation 6: Identify the resources necessary to address its case backlog and inform key stakeholders, such as the Office of Management and Budget [OMB] and Congress.

Response: Concur. USCIS has communicated to OMB the total level of the pending caseload and the resources required to eliminate the backlog over a sustained multi-year

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effort. The information provided identifies resources necessary to address case backlogs by estimating future caseload backlogs and the staffing levels required to manage them. The staffing estimates and projected backlogs consider lags in production associated with hiring, onboarding, attrition, training, and efficiency efforts employed by the agency, such as electronic processing. These plans are dependent on assumptions such as meeting anticipated fee collections and the timely implementation of the Immigration Examinations Fee Account biennial fee rule.

This ultimately led to the FY 2022 President's Budget (PB) that was submitted to Congress on May 28, 2021.⁴ The PB included an increase of 1,316 positions and \$345 million to support application processing, reduction of backlogs, and refugee program operations. The model used to develop the estimates in prior backlog reduction plans submitted to OMB was employed for the FY 2022 budget request. In the PB, the Administration proposes to expand current efforts to reduce the backlog and support refugee program operations through increased capacity (additional staff, additional overtime, expanded contractual support, additional equipment and supply purchases, increased international travel for refugee operations, and onboarding and training expenses) as well as a continued focus on efficiency.

DHS requests that GAO consider this recommendation resolved and closed, as implemented.

⁴See https://www.whitehouse.gov/wp-content/uploads/2021/05/dhs_fy22.pdf

Appendix IV: GAO Contact and Staff Acknowledgments

GAO Contact

Rebecca Gambler (202) 512-8777 or GamblerR@gao.gov

Staff Acknowledgments

In addition to the contact named above, Ashley V. Davis (Assistant Director), Michael Tropauer (Analyst-in-Charge), Hannah Weigle, Serae LaFache-Brazier, Jewel Conrad, Sasan J. "Jon" Najmi, Michele Fejfar, Jerome T. Sandau, Adam W. Vogt, and Eric D. Hauswirth made key contributions to this report.

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