Article

Citizenship Disparities

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INTRODUCTION

In *Perez v. Brownell*, the U.S. Supreme Court held that Congress had the power to take away the U.S. citizenship of an American who had voted in a foreign political election.[1] In his dissent, Chief Justice Warren declared that citizenship is the most basic right of all, as it is "nothing less than the right to have rights."[2] Justice Warren's statement underscores the fundamental importance of citizenship in American life. Decades of research, for example, has shown that naturalization—the acquisition of citizenship by an immigrant—confers numerous legal, political, and economic advantages to individuals and, by extension, their families and communities.[3] For example, naturalized

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1. Perez v. Brownell, 356 U.S. 44, 62 (1958).

2. 356 U.S. at 64 (emphasis omitted). This statement appears to be an unattributed reference to HANNAH ARENDT, THE ORIGINS OF TOTALITARIANISM 177 (1958). On the need for a conceptualization of individual rights that decenters citizenship status and focuses instead on the broader human rights protection of all individuals regardless of their citizenship status, see Daniel Kanstroom, *Human Rights for All Is Better than Citizenship Rights for Some, in* DEBATING TRANSFORMATIONS OF NATIONAL CITIZENSHIP 207, 213 (Rainer Bauböck ed., 2018) ("We must do the harder, more basic work of defining and instantiating meaningful human rights protections for all people, regardless of status, or location.").

3. *See, e.g.*, Bernt Bratsberg, James F. Ragan Jr. & Zafar M. Nasir, *The Effect of Naturalization on Wage Growth: A Panel Study of Young Male Immigrants*, 20 J. LAB. ECON. 568, 571 (2002) (finding that naturalization leads to faster wage growth and increased employment in white-collar, public sector, and union jobs); Yunju Nam & Wooksoo Kim, *Welfare Reform and Elderly Immigrants' Naturalization: Access to Public Benefits as an Incentive for Naturalization in the United States*, 46 INT'L MIGRATION REV. 656, 677 (2012) (suggesting that naturalization protects

citizens gain protection against deportation, access to a full panoply of government jobs and benefits, the right to vote, and the freedom to travel without restrictions.[4] Reports have also documented the economic benefits of naturalization to society at large. According to a 2015 study of 21 cities in the United States, if all eligible immigrant residents in those cities were to naturalize, the combined earnings of those immigrants across the 21 cities would be $5.7 billion and would result in an increase of over $2 billion in tax revenues to federal, state, and city governments.[5] Another recent report showed that providing a pathway to citizenship for all undocumented immigrants would increase the U.S. gross domestic product by $1.7 trillion over 10 years.[6]

Citizenship also confers important social benefits to individuals and the broader communities in which they are embedded. For example, naturalization enables individuals to sponsor their family members to immigrate on a preferential basis, which in turn facilitates family reunification across borders.[7] In addition,

access to public benefits); Peter Catron, *The Citizenship Advantage: Immigrant Socioeconomic Attainment in the Age of Mass Migration*, 124 AM. J. SOCIO. 999, 1000 (2019) (finding that naturalization is associated with better occupational outcomes for immigrants and better labor-market opportunities for their children); Catalina Amuedo-Dorantes & Mary Lopez, *Recent Changes in Immigration Policy and U.S. Naturalization Patterns*, 19 REV. ECON. HOUSEHOLD 843, 844 (2021) (discussing research that shows that naturalization has economic and political benefits); HOLLY STRAUT-EPPSTEINER, CONG. RSCH. SERV., R43366, U.S. NATURALIZATION POLICY 2–3 (May 3, 2021), https://crsreports .congress.gov/product/pdf/R/R43366 [https://perma.cc/9NEC-WEZ3] (describing a host of benefits associated with naturalization).

4. *See, e.g., Top 6 Benefits of Citizenship*, THE NEW AMS. CAMPAIGN, https://www.newamericanscampaign.org/top-6-benefits-of-citizenship [https://perma.cc/69NK-UKRC] (highlighting key benefits of citizenship); *A Guide to Naturalization*, U.S. CITIZENSHIP & IMMIGR. SERVS. 3 (Nov. 2016), https://www.uscis.gov/sites/default/files/document/guides/M-476.pdf [https://perma.cc/XM67-2JA9] (same).

5. María E. Enchautegui & Linda Giannarelli, *The Economic Impact of Naturalization on Immigrants and Cities*, URB. INST. (Dec. 9, 2015), https://www.urban.org/research/publication/economic-impact-naturalization -immigrants-and-cities [https://perma.cc/SQF3-L6CR].

6. Giovanni Peri & Reem Zaiour, *Citizenship for Undocumented Immigrants Would Boost U.S. Economic Growth*, CTR. FOR AM. PROGRESS (June 2021), https://www.americanprogress.org/article/citizenship-undocumented -immigrants-boost-u-s-economic-growth [https://perma.cc/RA3P-U4FS].

7. *See* WILLIAM A. KANDEL, CONG. RSCH. SERV., R43145, U.S. FAMILY-BASED IMMIGRATION POLICY 25–26 (2014), https://www.everycrsreport.com/ files/20141119_R43145_da941aceb1c9f687250e6c9c7b7399c6d8ef25a0.pdf [https://perma.cc/3MYL-7WTU].

a study by Jens Hainmueller and colleagues shows that natural-
ization promotes long-term social integration of immigrants into
their host society as measured by a variety of outcomes.[8] This
study also finds that the positive integrationist effects of natu-
ralization are most pronounced among the most marginalized
immigrant groups.[9] Further, Irene Bloemraad and Alicia
Sheares highlight the importance of what they call "claims-mak-
ing" benefits of citizenship: "Citizenship . . . makes it possible for
individuals, families or groups of people to make claims on the
state as citizens, be it through appeals to rights, by invoking
membership in an imagined community, by underscoring partic-
ipation in collective endeavors, or engaging in citizenship acts
and discursive appeals."[10]

In pursuit of these and other privileges and attendant re-
sponsibilities that citizenship offers,[11] hundreds of thousands of
immigrants apply for naturalization each year in the United
States.[12] Despite the centrality of citizenship status in individu-
als' life chances and the sheer number of individuals, families,
and communities impacted by agency decision-making in this
area, administrative adjudication of naturalization applications
in the contemporary era has escaped scholarly scrutiny due to
the scarcity of publicly available data.[13] We overcome this chal-
lenge by drawing on new and original administrative data that

8. Jens Hainmueller, Dominik Hangartner & Giuseppe Pietrantono, *Cat-
alyst or Crown: Does Naturalization Promote the Long-Term Social Integration
of Immigrants?*, 111 AM. POL. SCI. REV. 256, 256–57 (2017).

9. *Id.* at 271.

10. Irene Bloemraad & Alicia Sheares, *Understanding Membership in a
World of Global Migration: (How) Does Citizenship Matter?*, 51 INT'L MIGRATION
REV. 823, 855 (2017).

11. For a comparative analysis of why immigrants seek naturalization in
the United States and in Canada, see Sofya Aptekar, *Making Sense of Natural-
ization: What Citizenship Means to Naturalizing Immigrants in Canada and the
U.S.A.*, 17 INT'L MIGRATION & INTEGRATION 1143 (2016).

12. *See infra* Figure 1 and accompanying discussion.

13. Elisabeth Badenhoop, *Citizenship Matters: Towards an Interdiscipli-
nary and Global Perspective on Naturalization*, 25 CITIZENSHIP STUD. 445, 445
(2021) (noting the "persistent lack of data on the historical emergence, policy
implementation, local practices and migrants' lived experiences of naturaliza-
tion"). For two early studies that report statistics on administrative decision-
making in naturalization adjudication, see generally David S. North, *The Long
Grey Welcome: A Study of the American Naturalization Program*, 21 INT'L MI-
GRATION REV. 311 (1987); Louis DeSipio & Harry P. Pachon, *Making Americans:
Administrative Discretion and Americanization*, 12 CHICANO-LATINO L. REV. 52

we obtained from U.S. Citizenship and Immigration Services (USCIS) through extensive litigation under the Freedom of Information Act (FOIA). USCIS is the federal agency in the Department of Homeland Security (DHS) that processes immigration benefits, including naturalization applications.[14] Using this newly released dataset, this Article presents the first comprehensive empirical study of contemporary naturalization adjudication outcomes in the United States.[15] We analyze over 2.6 million naturalization decisions made by USCIS between 2015 and 2018.[16] More specifically, these decisions were made by USCIS officials assigned to 87 separate field offices located throughout the United States. As we explain later, these field offices have jurisdiction over naturalization applications based on the applicants' places of residence.[17]

We should expect relatively similar adjudication outcomes across field offices, all else being equal, given that the U.S. Constitution requires uniform national standards and federal law on the books delineates a seemingly routinized process for naturalization adjudication.[18] Yet this is not what we find. Our analysis reveals wide disparities across USCIS field offices in approval

(1992). For a non-governmental organization report that considers both national and local trends in adjudication outcomes, see Doug Rand, *2021 State of New American Citizenship Report*, BOUNDLESS, https://www.boundless.com/research/state-of-new-american-citizenship-report [https://perma.cc/L7G4-HPXN].

14. *See* Homeland Security Act of 2002, 6 U.S.C. § 101.

15. For a companion study on the importance of individual applicant characteristics in understanding naturalization adjudication outcomes, see Emily Ryo & Reed Humphrey, *The Importance of Race, Gender, and Religion in Naturalization Adjudication in the United States*, 119 PROC. NAT'L ACAD. SCIS. e2114430119 (2022).

16. The COVID pandemic shut down USCIS for several months, and it has experimented with a number of changed processing routines post re-opening (for example, conducting video interviews in place of in-person interviews). *See 2020 USCIS Statistical Annual Report*, U.S. CITIZENSHIP & IMMIGR. SERVS. 2–4, https://www.uscis.gov/sites/default/files/document/reports/2020-USCIS-Statistical-Annual-Report.pdf [https://perma.cc/J4AP-3DCB]. Whether, to what extent, and how the COVID pandemic has impacted naturalization adjudication is an important question that is beyond the scope of this study.

17. *See infra* Parts I.B and II.A.

18. U.S. CONST., art. I, § 8, cl. 4; *see also* 7 CHARLES GORDON, STANLEY MAILMAN, STEPHEN YALE-LOEHR & RONALD Y. WADA, IMMIGRATION LAW AND PROCEDURE § 95.01 (Matthew Bender ed., 2022) (ebook) ("The constitutional directive that the naturalization rule be uniform relates to geographical uniformity.").

rates and times to adjudication. For example, some field offices have predicted approval rates that are as low as 79%, while others have predicted approval rates that are as high as 97%.[19] Likewise, there are wide variations in adjudication times: average predicted adjudication times are as low as 136 days in some field offices, while others are as high as 266 days.[20] These disparities between field offices persist even after controlling for applicant characteristics.[21] Our analysis also shows that the racial, political, and economic climates of local communities in which the field offices are located are significant predictors of naturalization adjudication outcomes. These results call for a reconsideration of the view that USCIS is merely engaged in standardized, neutral adjudications. As J. Michael Walls has noted, "it is very difficult to rationalize a set of conditions which renders an alien's eligibility for citizenship dependent on his state of residence or on the administrative officer who interviews him."[22]

This study builds on growing legal scholarship that emphasizes the importance of geographical decentralization in the development of the contemporary federal administrative state.[23] Our findings make new and unique contributions to the growing body of research that documents troubling disparities in administrative and judicial decision-making in immigration law. An early, groundbreaking study in this area by Jaya Ramji Nogales and colleagues found that asylum outcomes "apparently depend[] in large measure on which government official decides the claim."[24] Likewise, a study of bond hearings in immigration

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19. *See infra* Part III.A. and Figure 6. Predicted values refer to values that are calculated by the estimated regression equations discussed in Part II.B. These equations control for individual-applicant characteristics and adjudication year.

20. *See infra* Part III.B.

21. *Id.*

22. J. Michael Walls, *The Law of Naturalization: A Uniform Law, Devoid of Uniformity*, 7 CUMB. L. REV. 211, 213 (1976).

23. *See, e.g.*, Dave Owen, *Regional Federal Administration*, 63 UCLA L. REV. 58 (2016); Jessica Bulman-Pozen, *Our Regionalism*, 166 U. PA. L. REV. 377 (2018); Yishai Blank & Issi Rosen-Zvi, *Reviving Federal Regions*, 70 STAN. L. REV. 1895 (2018).

24. Jaya Ramji-Nogales, Andrew I. Schoenholtz & Philip G. Schrag, *Refugee Roulette: Disparities in Asylum Adjudication*, 60 STAN. L. REV. 295, 296 (2007); *see also* U.S. GOV'T ACCOUNTABILITY OFF., GAO-08-940, U.S. ASYLUM

courts found significant differences in bond grant rates and amounts across immigration judges.[25] These variations remained even after controlling for immigrant-detainee background characteristics and legally-relevant factors.[26] In a recent study, Fatma E. Marouf examined geographic differences in immigration enforcement practices across the United States and found "enormous variations in how Immigration and Customs Enforcement's field offices engage in federal enforcement around the United States," including detainer requests, administrative arrests, removals, detention, and alternatives to detention.[27]

Taken together, these studies illustrate that uniform laws and procedures on the books do not ensure consistent enforcement action and case outcomes—in other words, there is inconsistency in the law as written and "how law is actually used and actually works."[28] Uneven exercise of discretion by individual decision-makers (such as asylum officers or immigration judges), and the interactions between local politics and policies with national priorities and legal mandates, can produce wide variations in legal enforcement and administrative decision-making at the subnational level. That the same may be true of agency decision-making in naturalization processing is surprising and deeply troubling for at least three reasons. First, the grant of U.S. citizenship is a quintessentially federal—not local or regional—

SYSTEM: SIGNIFICANT VARIATION EXISTED IN ASYLUM OUTCOMES ACROSS IMMIGRATION COURTS AND JUDGES (2008), https://www.gao.gov/assets/gao-08-940 .pdf [https://perma.cc/DX7L-8SQH] (examining variability in asylum outcomes across immigration judges); Kate Morrissey & Lauryn Schroeder, *Who Gets Asylum? Even Before Trump, System Was Riddled with Bias and Disparities*, L.A. TIMES (Aug. 24, 2020), https://www.latimes.com/california/story/2020-08-24/ who-gets-asylum-trump-bias-disparities [https://perma.cc/UVA4-FBYT] (same).

25. Emily Ryo, *Detained: A Study of Immigration Bond Hearings*, 50 LAW & SOC'Y REV. 117, 123–24 (2016).

26. *Id.* at 141–44.

27. Fatma E. Marouf, *Regional Immigration Enforcement*, 99 WASH. U. L. REV. 1593, 1593 (2022).

28. Jean-Louis Halpérin, *Law in Books and Law in Action: The Problem of Legal Change*, 64 ME. L. REV. 45, 47 (2011). For more on legal realism, which popularized the "law-in-book" versus "law-in-action" distinction, see Roscoe Pound, *Law in Books and Law in Action*, 44 AM. L. REV. 12 (1910). *See generally* WILLIAM W. FISHER III, MORTON J. HORWITZ & THOMAS A. REED, AMERICAN LEGAL REALISM (1993).

function, defined by uniform national standards.[29] Second, USCIS formally represents that discretion is not implicated in naturalization adjudication.[30] Third, naturalization in the United States is considered a "relatively simple and uniformly applied procedure."[31]

The remainder of this Article proceeds in four major Parts. Part I provides an overview of the naturalization process and the historical, legal, and theoretical background necessary to appreciate the broader significance of our empirical findings. We explain the contemporary naturalization adjudication process and how it has evolved to what it is today. We also present a theoretical framework—one that highlights the boundary-policing function of naturalization adjudication—that guides our empirical investigation. Part II describes our original data collection and analysis that we carried out for this study. The unique administrative dataset that we obtained through our FOIA litigation contains a variety of information about the applications that USCIS received between 2015 and 2018. Given that military naturalization follows a different process and has different substantive requirements,[32] our analysis focuses on non-military applications.[33]

Part III presents the results of our empirical analysis, which investigates the nature and extent of disparities in naturalization-adjudication outcomes. Part IV places these findings in a

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29. *See* Dorothee Schneider, *Naturalization and United States Citizenship in Two Periods of Mass Migration: 1894–1930, 1965–2000*, 21 J. AM. ETHNIC HIST. 50, 55 (2001) (describing the consolidation of "[f]ederal control over naturalization and a rationalized, centralized system of administration" beginning in the late 1800s).

30. *USCIS Policy Manual, Volume 1: General Policies and Procedures, Part E, Chapter 8*, U.S. CITIZENSHIP & IMMIGR. SERVS. (Sept. 8, 2022), https://www.uscis.gov/policy-manual/volume-1-part-e-chapter-8 [https://perma.cc/VQB9-V8AE].

31. Leo Grebler, *The Naturalization of Mexican Immigrants in the United States*, 1 INT'L MIGRATION REV. 17, 17 (1966).

32. For a helpful overview, see STRAUT-EPPSTEINER, *supra* note 3, at 9–12. For a detailed examination of military naturalization, see Zachary R. New, *Ending Citizenship for Service in the Forever Wars*, 129 YALE L.J.F. 552 (2020); Ming H. Chen, *Citizenship Denied: Implications of the Naturalization Backlog for Noncitizens in the Military*, 97 DENV. L. REV. 669 (2020); Deenesh Sohoni & Yosselin Turcios, *Discarded Loyalty: The Deportation of Immigrant Veterans*, 24 LEWIS & CLARK L. REV. 1285 (2020).

33. By "non-military naturalization," we mean acquisition of citizenship that is not based on military service to the United States.

broader context and discusses the findings' major policy implica-
tions. We argue that a system whereby the citizenship status of
immigrants depends on which field office adjudicates the natu-
ralization application violates fundamental notions of fairness
and basic principles of the rule of law. We conclude by consider-
ing important continuing gaps in public knowledge about natu-
ralization adjudication and agency decision-making that war-
rant systematic investigation.

I. NATURALIZATION: PAST AND PRESENT

In this Part, we describe the non-military naturalization re-
quirements and process, both historically and as they operate
today.[34] A large body of research has examined exclusionary
laws that used to govern—and continue to govern—who could
become and remain a U.S. citizen, and the disparate legal treat-
ment of individuals by their citizenship status.[35] Our aim here is
not to trace this history and legal jurisprudence, which has been
extensively analyzed elsewhere. Instead, our goal is to provide

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34. Denaturalization—the process through which naturalized citizens may
lose their U.S. citizenship—is an important related topic that is beyond the
scope of our review. On denaturalization and other forms of citizenship denial
broadly defined, see Emily Ryo & Ian Peacock, *Denying Citizenship: Immigra-
tion Enforcement and Citizenship Rights in the United States*, 84 STUD. L. POL.,
& SOC'Y 43 (2020). On litigation involving citizenship disputes, see Cassandra
Burke Robertson & Irina D. Manta, *Litigating Citizenship*, 73 VAND. L. REV.
757 (2020).

35. *See generally*, IAN HANEY LÓPEZ, WHITE BY LAW: THE LEGAL CON-
STRUCTION OF RACE 1, 30–34 (2006) (discussing racial barriers to naturalization
between 1790 and 1952); ROGERS M. SMITH, CIVIC IDEALS: CONFLICTING VI-
SIONS OF CITIZENSHIP IN U.S. HISTORY 470–72 (concluding that American citi-
zenship law and policy have always been shaped and applied in an inegalitarian
manner, and that "neither the possession nor the fresh achievement of greater
equality can guarantee against later losses of status" for minority groups)
(1997); MAE M. NGAI, IMPOSSIBLE SUBJECTS: ILLEGAL ALIENS AND THE MAKING
OF MODERN AMERICA 3–6 (2004) (discussing restrictive immigration laws be-
tween 1924–1965 that catalyzed the political concept of "illegal aliens" and cor-
responding negative connotations); Emma Kaufman, *Segregation by Citizen-
ship*, 132 HARV. L. REV. 1379, 1381–83 (2019) (discussing segregation of non-
citizen prisoners from citizen prisoners and the significantly worse conditions
faced by non-citizen prisoners); Leticia Saucedo & Rose Cuison Villazor, *Illegit-
imate Citizenship Rules*, 97 WASH. U. L. REV. 1179, 1184–85 (2020) (analyzing
derivative citizenship law that discriminates citizenship rights on the basis of
gender); AMANDA FROST, YOU ARE NOT AMERICAN: CITIZENSHIP STRIPPING
FROM DRED SCOTT TO THE DREAMERS 5–7 (2021) (discussing citizenship strip-
ping of individuals deemed to be "un-American" and marital expatriation).

an overview of the current statutory scheme for naturalization adjudication as it has evolved over time from a judicial process that varied across states to a purportedly uniform administrative process. Understanding the policy concerns that animated this evolution is important for contextualizing our empirical analysis.

A. SUBSTANTIVE REQUIREMENTS FOR NATURALIZATION

The U.S. Constitution grants Congress the power to "establish a uniform Rule of Naturalization."[36] The first Congress exercised this power to enact the 1790 Naturalization Act, which restricted naturalization to "free white person[s]."[37] There were other restrictions in addition to racial exclusions. Until 1944, courts generally treated Islam as defining an ethno-racial identity that rendered Muslims non-white and, therefore, ineligible for naturalization.[38] In contrast, Christianity functioned as a hallmark of whiteness, and the presumption of non-whiteness against Muslims could be overcome if the presiding judge could be persuaded that they were bona fide Christians.[39] There were also gender-based restrictions on who could naturalize.[40]

For example, until 1922, women could not seek to naturalize on their own petition, as their citizenship status followed that of their husbands.[41] Meanwhile, until 1931, U.S. citizen women who married non-U.S. citizens lost their U.S. citizenship.[42]

It was not until the enactment of the Immigration and Nationality Act of 1952 (also known as the McCarran-Walter Act) that Congress prohibited denials of naturalization based on race,

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36. U.S. CONST., art. I, § 8, cl. 4.

37. Naturalization Act of 1790, Pub. L. No. 1-3, 1 Stat. 103 (repealed 1795).

38. *See* Khaled A. Beydoun, *Between Muslim and White: The Legal Construction of Arab American Identity*, 69 N.Y.U. ANN. SURV. AM. L. 29, 33 (2013).

39. *Id.*

40. LOUIS DESIPIO & RODOLFO O. DE LA GARZA, US IMMIGRATION IN THE TWENTY-FIRST CENTURY: MAKING AMERICANS, REMAKING AMERICA 141 (2015). *See generally* CANDICE LEWIS BREDBENNER, A NATIONALITY OF HER OWN: WOMEN, MARRIAGE, AND THE LAW OF CITIZENSHIP (1998); MARTHA GARDNER, THE QUALITIES OF A CITIZEN: WOMEN, IMMIGRATION, AND CITIZENSHIP, 1870–1965 (2005).

41. DESIPIO & DE LA GARZA, *supra* note 40.

42. *Id.*

gender, and marital status.[43] However, certain substantive requirements have remained to date. To be eligible to naturalize, in most cases, a noncitizen must: (1) have been a lawful permanent resident for a specified period of time; (2) have maintained a continuous presence in the United States for a certain length of time; (3) be at least 18 years old; and (4) demonstrate a required knowledge of English and of U.S. history and government.[44]

In addition, there are also what some scholars have called "subjective requirements" to naturalization.[45] The first such requirement is that the applicant "has been and still is a person of good moral character" during the required period of residence.[46] The second such requirement is that the applicant demonstrates that they have been "attached to the principles of the Constitution of the United States, and well-disposed to the good order and happiness of the United States."[47] Both of these requirements are only vaguely defined in the regulations and have been subject to litigation.[48]

B. ADJUDICATION PROCESS

Just as the substantive law on naturalization has changed over time, the adjudication process has also evolved. The key change directly relevant to this study involves the transformation of the naturalization system from a predominantly judicial process to an administrative process.[49] Before 1906, there were thousands of local courts throughout individual states that applied their own procedures for processing naturalization applications.[50] To address the absence of centralized procedures and safeguards that led to widespread fraud, Congress enacted the Naturalization Act of June 29, 1906.[51] The 1906 law restricted the power to grant naturalization only to federal courts

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43. Immigration and Nationality Act § 311, 8 U.S.C. § 1422.
44. For a helpful overview, see U.S. CITIZENSHIP & IMMIGR. SERVS., *supra* note 4, at 18–26; STRAUT-EPPSTEINER, *supra* note 3.
45. 7 GORDON ET AL., *supra* note 18, § 95.04.
46. Immigration and Nationality Act § 316(a), 8 U.S.C. § 1427(a).
47. *Id.*
48. 7 GORDON ET AL., *supra* note 18, § 95.04.
49. *Id.* § 94.01.
50. *Id.*
51. Naturalization Act of 1906, Pub. L. No. 59-338, 34 Stat. 596 (repealed 1990).

and designated state courts, and it conferred administrative supervision over naturalization to a federal agency called the Bureau of Immigration and Naturalization.[52] However, the courts retained the ultimate authority over whether to grant or deny citizenship to naturalization applicants.[53] This process eventually led to large backlogs in courts.[54]

To address the judicial-backlog problem and to centralize the process even further, Congress enacted the Immigration Act of 1990,[55] which "abandoned judicial naturalization in favor of an administrative procedure."[56] Under the current administrative model of adjudication, USCIS has the authority to award naturalization without judicial review.[57] USCIS is responsible for deciding a wide array of immigration-related applications, including, for example, immigrant visa petitions and affirmative asylum applications.[58] The processing of naturalization applications is the second most common type of adjudication that USCIS has carried out since 2016 (the most common type being employment authorization).[59] The Citizenship and Immigration Services Ombudsman has recognized naturalization as the "most significant benefit" conferred by USCIS.[60]

52. 7 GORDON ET AL., *supra* note 18, § 94.01.

53. *Id.*

54. *See* S. REP. NO. 101-55, at 3 (1989) ("While most judges take seriously the responsibility to naturalize qualified applicants in a timely manner, certain courts have allowed acute backlogs of up to 2 years to accumulate.").

55. Immigration Act of 1990, Pub. L. No. 101-649, § 401, 104 Stat. 4978, 5038.

56. 7 GORDON ET AL., *supra* note 18, § 96.01.

57. DESIPIO & DE LA GARZA, *supra* note 40, at 148.

58. HILLEL R. SMITH, CONG. RSCH. SERV., LSB10671, U.S. CITIZENSHIP AND IMMIGRATION SERVICES: AUTHORITIES AND PROCEDURES 1 (2022), https://crsreports.congress.gov/product/pdf/LSB/LSB10671 [https://perma.cc/5YME-CX23].

59. STRAUT-EPPSTEINER, *supra* note 3, at 24–25 ("From FY2016 through FY2020, N-400 naturalization applications accounted for 11.7% of all applications received and processed by USCIS, making it the second most common immigration form handled by the agency."). For a description of all USCIS functions, see WILLIAM A. KANDEL, CONG. RSCH. SERV., R44038, U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) FUNCTIONS AND FUNDING 2–4 (2015), https://crsreports.congress.gov/product/pdf/R/R44038/3 [https://perma.cc/6VAQ-HDEN].

60. *See* Michael T. Dougherty, Citizenship & Immigr. Servs. Ombudsman, *Annual Report 2020*, OFF. OF THE CITIZENSHIP & IMMIGR. SERVS. OMBUDSMAN 12 (June 30, 2020), https://www.dhs.gov/sites/default/files/publications/20_0630_cisomb-2020-annual-report-to-congress.pdf [https://perma.cc/L4G3

An aspiring citizen begins the naturalization adjudication process by filing an N-400 naturalization application form with USCIS.[61] Currently, the application fee is $725, which includes an $85 biometric fee.[62] Once the application is filed, the USCIS field office that has jurisdiction over the applicant's place of residence investigates of the applicant,[63] which includes a criminal background check performed with the cooperation of federal law enforcement authorities. A USCIS official will then conduct an interview during which the official will administer an oral examination that tests the applicant's English literacy and civics knowledge.[64] Failure to satisfy all of these requirements will result in the application being denied.[65] The applicant bears the burden of establishing by the preponderance of the evidence that they satisfy each of the requirements.[66] If denied, the applicant can administratively appeal the decision by requesting a rehearing before a different USCIS official; a decision on administrative appeal affirming the application's denial may be appealed to a federal district court.[67] If approved, the applicant must be willing to renounce loyalty to their country of origin and swear

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-DNUE] [hereinafter *2020 Ombudsman Report*].

    61.   7 GORDON ET AL., *supra* note 18, § 96.03.

    62.   *Fee Schedule*, U.S. CITIZENSHIP & IMMIGR. SERVS. 10 (May 17, 2021), https://www.uscis.gov/sites/default/files/document/forms/g-1055.pdf   [https://perma.cc/8WJ9-WF4S]. Studies show that these fees may be prohibitive for many immigrants. *See* Jens Hainmueller, Duncan Lawrence, Justin Gest, Michael Hotard, Rey Koslowski & David D. Laitin, *A Randomized Controlled Design Reveals Barriers to Citizenship for Low-Income Immigrants*, 115 PROC. NAT'L ACAD. SCIS. U.S. 939, 943 (2018); Michael Hotard, Duncan Lawrence, David D. Laitin & Jens Hainmueller, *A Low-Cost Information Nudge Increases Citizenship Application Rates Among Low-Income Immigrants*, 3 NATURE HUM. BEHAV. 678, 678 (2019).

    63.   *USCIS Policy Manual, Volume 12: Citizenship and Naturalization, Part B, Chapter 3*, U.S. CITIZENSHIP & IMMIGR. SERVS. (Sept. 8, 2022), https://www.uscis.gov/policy-manual/volume-12-part-b-chapter-3   [https://perma.cc/7APF-URL2] ("In most cases, the USCIS office having jurisdiction over the applicant's residence at the time of filing has the responsibility for processing and adjudicating the naturalization application.").

    64.   *Id.*

    65.   7 GORDON ET AL., *supra* note 18, § 96.04.

    66.   *See* Berenyi v. Dist. Dir., Immigr. & Naturalization Serv., 385 U.S. 630, 637 (1967); *see also* 8 C.F.R. § 316.2(b) (2021) (establishing a preponderance of the evidence standard for those submitting applications for naturalization).

    67.   7 GORDON ET AL., *supra* note 18, § 96.07.

or affirm loyalty to the Constitution and the laws of the United States.[68]

If USCIS discovers subsequent to naturalization that the applicant was not eligible to become a naturalized citizen at the time citizenship was conferred, USCIS can refer that individual to the Department of Justice for denaturalization, whereby the individual can be stripped of their U.S. citizenship.[69] During the Trump Administration, the Department of Justice created an official section within its civil division dedicated to pursuing denaturalization.[70] In the past few years, the number of denaturalization cases filed by the Department of Justice has risen significantly.[71] Denaturalization is thus an increasingly important flipside of naturalization, but it is beyond the scope of this study.

C. OVERVIEW OF DENIALS AND DELAYS

The contemporary U.S. naturalization adjudication process has been described *in theory* as generally exemplifying an "as-of-right" model, in which "the procedure is relatively simple, and most applications receive only perfunctory attention."[72] In view of this characterization, what is striking—and strikingly unap-

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68. *Id.* § 96.05.

69. *See* Amanda Frost, *Alienating Citizens*, 114 NW. U. L. REV. 241, 246–49 (2019) (describing the legal grounds and procedure for denaturalization); Ryo & Peacock, *supra* note 34 (placing denaturalization within a typology of citizen denial and exploring the relationship between such denials and citizen rights in the United States).

70. *The Department of Justice Creates Section Dedicated to Denaturalization Cases*, U.S. DEP'T OF JUST. (Feb. 26, 2020), https://www.justice.gov/opa/pr/department-justice-creates-section-dedicated-denaturalization-cases [https://perma.cc/6P9K-HGSU].

71. Katie Benner, *Justice Dept. Establishes Office to Denaturalize Immigrants,* N.Y. TIMES (June 17, 2020), https://www.nytimes.com/2020/02/26/us/politics/denaturalization-immigrants-justice-department.html [https://perma.cc/MR22-8LTG].

72. William Rogers Brubaker, *Citizenship and Naturalization: Policies and Politics, in* IMMIGRATION AND THE POLITICS OF CITIZENSHIP IN EUROPE AND NORTH AMERICA 99, 109 (William Rogers Brubaker ed., 1989). *But see* Robert R. Alvarez, *A Profile of the Citizenship Process Among Hispanics in the United States*, 21 INT'L MIGRATION REV. 327, 333 (1987) (describing the naturalization process as one "embedded in the quagmire and inconsistency . . . of bureaucracy"); North, *supra* note 13, at 314 (describing the naturalization process as "perplexing and, at times, frightening for the applicant").

preciated in both public and scholarly discourse—is that thousands of applicants are denied naturalization each year. Figure 1 shows the total number of non-military naturalization applications received and denied by USCIS every year between 2010 and 2020.[73] As shown in Figure 1, the total number of non-military naturalization applications increased in the past decade from about 697,700 in 2010 to about 962,700 in 2020; this represents about a 38% increase in total receipts. In 2010, over 56,200 applications were denied, which grew to over 80,200 in 2020. At its peak in the past decade, the highest total number of denials was in 2019, when almost 97,000 applications were denied.

Figure 1. Non-Military Naturalization Application
Receipts and Denials, Fiscal Years 2010–2020
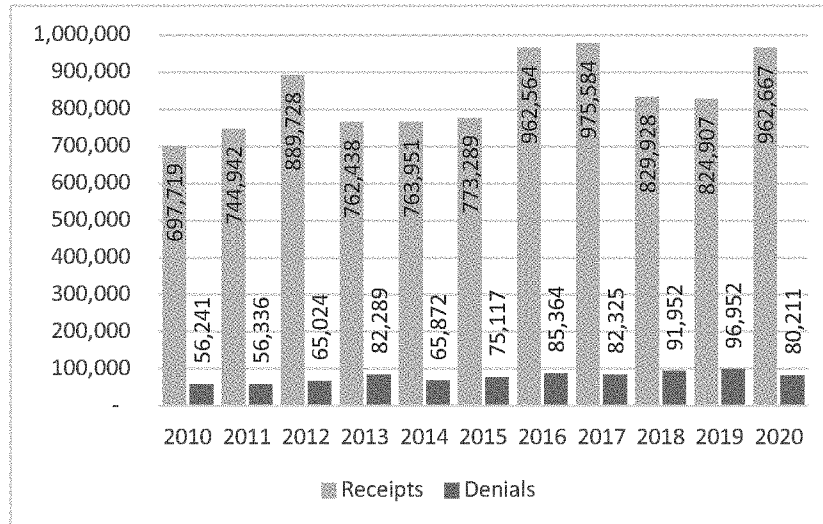
Note: The totals pertain only to non-military N-400 applications.[74]

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73.   2020 is the latest full year for which this information is available. For ease of reference, all references to "year" in this Article are to "fiscal year" unless otherwise noted.

74.   The statistics shown are our calculations based on the following data source: *Immigration and Citizenship Data*, U.S. CITIZENSHIP & IMMIGR. SERVS., https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data [https://perma.cc/9HYG-45RV] (select "Naturalization (Form N-400)" from the "filter by category" dropdown menu and choose "Form N-400, Application for Naturalization, by Category of Naturalization, Case Status, and USCIS Field Office Location" for various quarters and fiscal years).

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Despite the efficiency aims of the 1990 Act that motivated the shift in naturalization adjudication from a decentralized judicial process to a centralized administrative process, the current system has also suffered from problems of delay for applicants,[75] a situation that has been exacerbated by the COVID-19 pandemic.[76] In recent years, the backlogs have become so substantial that a class action lawsuit has been filed against USCIS to attempt to uncover the reasons for the delays.[77] Figure 2 illustrates the increasing backlog of non-military naturalization applications that are left undecided each year (more precisely, as reported by USCIS for the fourth quarter of each fiscal year). As shown in Figure 2, the total number of pending cases increased from a little over 288,000 in 2010 to over 938,100 in 2020. Appendix Table 1 shows the concomitant increase in the national median processing time, which is now over twelve months.[78]

75. 7 GORDON ET AL., *supra* note 18, § 96.01.

76. *See Citizenship Delayed: Civil Rights and Voting Rights Implications of the Backlog in Citizenship and Naturalization Applications*, COLO. STATE ADVISORY COMM. TO THE U.S. COMM'N ON CIV. RTS. 6–11 (Sept. 2019), https://www.usccr.gov/pubs/2019/09-12-Citizenship-Delayed-Colorado -Naturalization-Backlog.pdf [https://perma.cc/U4NU-VT8C]; Rand, *supra* note 13 ("From March 18th through June 4th 2020—due to the coronavirus pandemic—USCIS stopped doing . . . interviews and ceremonies, a delay that left well over 100,000 future Americans in limbo."); STRAUT-EPPSTEINER, *supra* note 3, at 25.

77. *See* Complaint for Injunctive & Declaratory Relief (Freedom of Information Act) at 9, Coal. for Humane Immigrant Rts. v. U.S. Citizenship & Immigr. Servs., Dept. of Homeland Sec., No. 2:18-cv-08034 (C.D. Cal. Sept. 17, 2018), https://www.courthousenews.com/wp-content/uploads/2018/09/ Citizenship-backlog-COMPLAINT.pdf [https://perma.cc/F6WJ-R2LU] (seeking "[a]ll documents that address or concern delays or backlogs in the processing time for naturalization applications."); *see also* Martin Macias Jr., *Feds Sued over Citizenship Processing Backlog*, COURTHOUSE NEWS SERV. (Sept. 17, 2018), https://www.courthousenews.com/feds-sued-over-citizenship-processing -backlog [https://perma.cc/Z29K-NW5J] (providing additional details about the circumstances motivating the aforementioned lawsuit).

78. Given that the data sources are not explicit about whether the statistics relate to military or non-military applications, it is reasonable to assume that they relate to both.

Figure 2. Non-Military Naturalization Applications
Pending, Fiscal Years 2010–2020
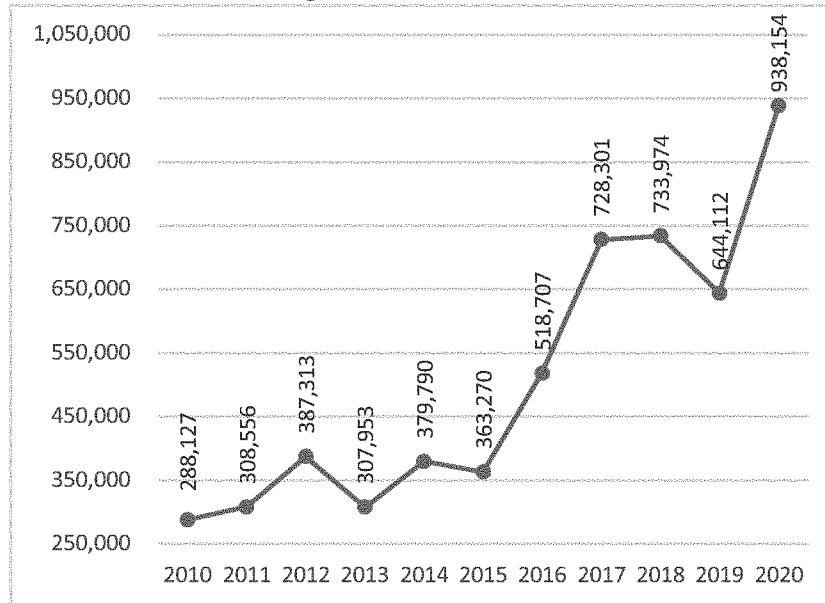
Note: The totals pertain only to non-military N-400 applications.[79]

These trends suggest that David North's characterization, over three decades ago, of the U.S. naturalization process as a "long grey welcome" continues to be apt.[80] Consistent with this view, other scholars have noted: "[A]lthough unstated as a formal requirement, the increasing complexity of the application and the examination process requires that naturalizing citizens demonstrate a bureaucratic and technological competence or the willingness to hire a professional to assist with the application."[81] The standardized form alone—form N-400, which all individuals seeking naturalization are required to complete and submit to the applicable USCIS field office—consists of 20 pages with 115 questions, not including supplemental forms.[82] According to one immigration attorney: "Naturalization requirements

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79. *See supra* note 74.
80. *See* North, *supra* note 13, at 311.
81. DESIPIO & DE LA GARZA, *supra* note 40, at 143; *see also* Alvarez, *supra* note 72 (describing naturalization as a bureaucratic quagmire).
82. U.S. GOV'T ACCOUNTABILITY OFF., GAO-21-529, U.S. CITIZENSHIP AND IMMIGRATION SERVICES: ACTIONS NEEDED TO ADDRESS PENDING CASELOAD 18

may seem clear and easy to satisfy. However, [there are] so many 'what-ifs' and 'but-thens' that even the most seasoned immigration attorneys can feel their heads turn on a particular case."[83]

Finally, some scholars have argued that the shift to the current administrative system has increased, rather than reduced, the problem of decentralization and exacerbated inconsistencies in adjudication outcomes.[84] In a related vein, other scholars have contended that "[w]ith the lesser role of courts in naturalization post-1990, inconsistencies and bias in citizenship adjudication may have become harder to identify and check as adjudication lies in the hands of a single administrative officer."[85] These are recurring concerns in studies of federal bureaucracy and regulation. This scholarship calls for an understanding of federal administrative agencies not as unitary entities, but as interconnected systems of regional offices that are characterized by geographical decentralization.[86] This study responds to that call by focusing on the importance of local conditions in understanding naturalization adjudication outcomes.

D. NATURALIZATION ADJUDICATION AS BOUNDARY POLICING

Our empirical analysis is guided by the theoretical perspective that recognizes citizenship as the ultimate form of social closure. The idea of social closure originates from Max Weber, and is described as "the process by which social collectivities seek to maximize rewards by restricting access to rewards and opportunities to a limited circle of eligibles."[87] In the context of citizenship, the effect of social closure is to demarcate "insiders" and "outsiders," which allows nation-states to remain "relatively closed and self-perpetuating communities, reproducing their

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(2021), https://www.gao.gov/assets/gao-21-529.pdf [https://perma.cc/D4HQ-XAEE].

83. Emily C. Callan, *A Most Unnatural Body of Law . . . How the Complexities of Operation Janus and Denaturalization Illustrate the Need for Comprehensive Immigration Reform*, 11 ELON L. REV. 1, 9 (2019).

84. DESIPIO & DE LA GARZA, *supra* note 40, at 148 (arguing that "Congress's efforts at reform . . . may have further entrenched decentralization.").

85. Nermeen Saba Arastu, *Aspiring Americans Thrown Out in the Cold: The Discriminatory Use of False Testimony Allegations to Deny Naturalization*, 66 UCLA L. REV. 1078, 1090 (2019).

86. *See, e.g.*, sources cited *supra* note 23.

87. Frank Parkin, *Strategies of Social Closure in Class Formation*, *in* THE SOCIAL ANALYSIS OF CLASS STRUCTURE 1, 3 (Frank Parkin ed., 1974).

membership in a largely endogenous fashion, open only at the margins to the exogenous recruitment of new members."[88] And, as Rogers Brubaker has noted: "[T]o be defined as a citizen is not to qualify as an insider for a particular instance or type of interaction; it is to be defined in a general, abstract, enduring, and context-independent way as a member of the state."[89]

We argue that naturalization adjudication is a powerful tool of boundary policing in service of this social closure process.[90] Territorial enforcement undertaken by border patrol agents is one form of boundary policing that has been easily recognized as such because it involves concrete fences and walls, and its exclusionary practice is enforced through physical surveillance and militarization of the border.[91] Indeed, at the U.S.-Mexico border, the U.S. government has sought to make its boundary policing work highly visible to the public as part of its "prevention through deterrence" strategy.[92] But decision-making by USCIS officials during naturalization adjudication occurs behind an administrative veil that is largely hidden from public view and is,

88. ROGERS BRUBAKER, CITIZENSHIP AND NATIONHOOD IN FRANCE AND GERMANY 34 (1992).

89. *Id.* at 29.

90. *See* Mathew Coleman, *Immigration Geopolitics Beyond the Mexico-U.S. Border*, 39 ANTIPODE 54, 69 (2007) (noting that "boundary policing might refer to border policing *and* practices of immigrant regulation which take place away from state borders").

91. *See* Douglas S. Massey, Jorge Durand & Karen A. Pren, *Why Border Enforcement Backfired*, 121 AM. J. SOCIO. 1557, 1561–63 (2016) (discussing the historical trends that contributed to militarization of the border).

92. Jose Palafox, *Introduction to Gatekeeper's State: Immigration and Boundary Policing in an Era of Globalization*, 28 SOC. JUST. 1, 3 (2001); *see also* Didier Fassin, *Policing Borders, Producing Boundaries. The Governmentality of Immigration in Dark Times*, 40 ANN. REV. ANTHROPOLOGY 213, 222 (2011) (exploring the "ideologies and technologies at work in the policing of borders and production of boundaries"); Josiah McC. Heyman, *Constructing a "Perfect" Wall: Race, Class, and Citizenship in U.S.-Mexico Border Policing, in* MIGRATION IN THE 21ST CENTURY: POLITICAL ECONOMY AND ETHNOGRAPHY 153 (Pauline Gardiner Barber & Winnie Lem eds., 2012) (exploring the tactical operations that comprise contemporary border enforcement); Jeremy Slack, Daniel E. Martínez, Alison Elizabeth Lee & Scott Whiteford, *The Geography of Border Militarization: Violence, Death and Health in Mexico and the United States*, 15 J. LATIN AM. GEOGRAPHY 7, 7 (2016) (providing an "account of the geography of violence and migration" that characterize modern day immigration).

therefore, underappreciated as a tool of boundary policing given its symbolic, rather than physical, nature.[93]

We argue that although federal law requires uniform national standards for naturalization, boundary policing through USCIS decision-making occurs at the local level, and therefore the field offices' local contexts play an important role in shaping agency decisions on naturalization applications. As to which local contexts might matter, our empirical analysis is guided by existing research on attitudes toward immigrants and immigration policy, as well as emerging concerns about the contemporary naturalization adjudication process. We offer these discussions in the next Part in the context of describing the current study.[94]

II. THE CURRENT STUDY

This Article draws on original datasets that we collected and coded for the purposes of this study. Below, we describe each of these datasets and our analytical strategy. Appendix Table 2 contains a summary description of the measures we analyze. The Methods Appendix contains a more detailed explanation of our coding and analysis decisions.

A. DATA

The main source of data for this study is the set of administrative records on N-400 applications that individuals filed with USCIS (N-400 Data). USCIS produced the N-400 Data in response to two requests filed under FOIA by the first author in August 2018 and October 2019. The FOIA requests sought anonymized, individual-level data on every person who filed an application for naturalization with USCIS between September 13, 2013 and the data extraction date. USCIS, however, claimed exemptions on some of this information for privacy reasons and explained that a variety of information submitted through the

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93. On "symbolic boundaries," see Michèle Lamont & Virág Molnár, *The Study of Boundaries in the Social Sciences*, 28 ANN. REV. SOCIO. 167, 168–69 (2002) (distinguishing symbolic and social boundaries). On the related idea of the enactment of borders beyond the territorial demarcation, see Cecilia Menjívar, *Immigration Law Beyond Borders: Externalizing and Internalizing Border Controls in an Era of Securitization*, 10 ANN. REV. L. & SOC. SCI. 353, 355 (2014) (arguing for the importance of understanding "the expansion of border controls beyond the physical border to the exterior . . . as well as toward the interior of the territory").

94. *See infra* Part II.B.

N-400 forms is not entered into their computerized databases. After exhausting administrative appeals, a legal complaint against USCIS was filed in the U.S. District Court for the District of Columbia in July 2020. The data resulting from this litigation contains a variety of information from individual N-400 applications submitted to the USCIS.

We also collected information on the applicants' places of residence (Applicant Contextual Data) by matching each applicant's ZIP Code to their corresponding ZIP Code Tabulation Area (ZCTA). This step was necessary because ZIP Codes relate to mail delivery routes and do not map directly to spatial units.[95] We then merged into the N-400 Data a variety of ZCTA-level information about the applicants' places of residence from the American Community Survey. This Applicant Contextual Data contains information about the characteristics of the communities in which the applicants were residing at the time of their N-400 application submission. We used these measures to construct the *Concentrated Disadvantage Index*, as described below.

In addition, our analysis required us to match each application to the field office that processed it, as the N-400 Data itself did not contain information about which field office adjudicated which application. We conducted this matching process by scraping the USCIS website to collect information about the service area for each field office.[96] We then used the applicants' ZIP Codes appearing in the N-400 Data to merge the field-office-service-area data with the N-400 Data. Finally, we used a variety of sources summarized in Appendix Table 3 to collect data that we used to measure community characteristics of the counties in which USCIS field offices are located.

Figure 3 presents a map showing the location of each field office included in this study. As described in detail in the Methods Appendix, we excluded applications from U.S. territories, applications from overseas military bases, and applications with international addresses or addresses with ZIP Codes that could not be matched to a USCIS field office (see *Geographic Restriction* section of the Methods Appendix).

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95. ZIP Code Tabulation Areas (ZCTAs), U.S. CENSUS BUREAU, https://www.census.gov/programs-surveys/geography/guidance/geo-areas/zctas .html [https://perma.cc/4PV6-4VLA].

96. *Field Offices*, U.S. CITIZENSHIP & IMMIGR. SERVS., https://www.uscis .gov/about-us/find-a-uscis-office/field-offices [https://perma.cc/SF3H-JJC2].

Figure 3. Map of USCIS Field Offices, Fiscal Years 2015–2018

Note: Our analysis includes eighty-seven field offices located in forty-five states. No field offices were located in Delaware, Mississippi, North Dakota, South Dakota, or West Virginia.

In brief, we examined non-military naturalization applications submitted by individuals eighteen years or older[97] that USCIS field offices across the United States adjudicated between the start of the first quarter of the fiscal year 2015 (October 1, 2014) and the end of the second quarter of the fiscal year 2018 (March 31, 2018). Our selection of study period is dictated by our analysis of data reliability, as we explain in the Methods Appendix. After cleaning the data and implementing listwise deletion to address missing values for some of the variables, our analytic sample consisted of a total of 2,687,101 non-military applications adjudicated during the study period.

B. CODING AND ANALYTICAL APPROACH

In the first part of our analysis, we analyzed two adjudication outcomes.[98] The first outcome of interest, *Approval Rate*, is

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97. The law specifies different requirements for a child to obtain citizenship through his or her parents. *See* STRAUT-EPPSTEINER, *supra* note 3, at 7–9.

98. In a companion study, we examined the probability of approval at the

the percentage of applications approved among all applications adjudicated by a given field office.[99] The second outcome of interest, *Average Time to Adjudication*, is the average (mean) number of days to adjudication for any given field office. We calculated this measure by calculating the difference in the number of days between the date on which USCIS received a given application (*Receipt Date*) and the date of adjudication (*Status Date*) for that application. *Status Date* generally refers to the adjudication date, but for approvals, *Status Date* reflects the naturalization date. We also conducted supplemental analyses that examine average (mean) time to approval and average time to denial to assess whether the wide disparities present across field offices in *Average Time to Adjudication* are due to disparities in time to approval, time to denial, or both. The first part of our analysis focuses on descriptive statistics and the extent to which *Approval Rate* and *Average Time to Adjudication* vary across field offices in the United States.

We also conducted regression analyses to test whether the descriptive analyses described above are robust to the inclusion of individual-applicant characteristics. The basic aim of these analyses is to determine whether the disparities in adjudication outcomes are merely a reflection of compositional differences in applicants across field offices. If so, the disparities in adjudication outcomes that we find across field offices should be reduced or disappear once we control for individual-applicant characteristics. These individual-applicant characteristics, each coded from the N-400 Data, are measured by the following variables:[100]

- *Race/Ethnicity* represents the applicant's self-reported race/ethnicity on the naturalization application. The Methods Appendix contains a detailed description of how we addressed the missing values in this variable.
- *Female* is an indicator for whether the applicant is female.
- *Muslim-Majority Country* is an indicator for whether the

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individual-applicant level. Specifically, we examined whether and to what extent individual applicants' race/ethnicity, gender, and religion predicted their likelihood of getting approved. Ryo & Humphrey, *supra* note 15.

   99. This means that our analysis excludes right-censored applications— that is, applications that had yet to be adjudicated at the end of our study period.

   100. We included as many theoretically relevant variables as possible that we could code from the N-400 Data and the Applicant Contextual Data.

applicant's country of origin is a Muslim-majority coun-
try.[101]

- *Concentrated Disadvantage Index* (CDI) captures the de-
  gree of socioeconomic disadvantage associated with each
  applicant's neighborhood.[102] The higher the CDI value,
  the greater the level of disadvantage. The index is cen-
  tered such that the average CDI of all ZCTAs in the
  United States is zero.
- *Eligibility* indicates the applicant's basis of eligibility for
  naturalization.
- *Marital Status* captures the applicant's marital status.
- *Has Children* is an indicator for whether the applicant has
  one or more children.
- *Age* indicates the applicant's age in years.
- *English-Speaking Country* indicates whether English is
  an official language or spoken by the majority of the pop-
  ulation in the applicant's country of origin.

The dependent variables in these regression analyses are
Approved (whether an application was approved or denied) and
Adjudication Time (number of days to adjudication for a given
application). Given that *Approved* is a binary variable, we con-
ducted a binary logistic regression analysis. For *Adjudication
Time*, we conducted a linear regression analysis.[103] In each re-
gression model, we included a set of *Year* dummy variables,
which indicate the fiscal year in which USCIS adjudicated the
application to control for variation across years. We included in
each regression model individual field offices as predictors and

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101. Following the prevailing convention, we coded an origin country as a
Muslim-majority country if more than 50% of the country's population is Mus-
lim. As of 2010, there were forty-nine such countries around the world. *See The
Future of the Global Muslim Population: Projections for 2010–2030,* PEW RSCH.
CTR., F. ON RELIGION & PUB. LIFE, 155–57 (2011), https://assets.pewresearch
.org/wp-content/uploads/sites/11/2011/01/FutureGlobalMuslimPopulation
-WebPDF-Feb10.pdf [https://perma.cc/74UF-R8WN].

102. Robert J. Sampson, Stephen W. Raudenbush & Felton Earls, *Neighbor-
hoods and Violent Crime: A Multilevel Study of Collective Efficacy,* 277 SCI. 918,
919–20 (1997) (defining "neighborhood" as "a collection of people and institu-
tions occupying a subsection of a larger community," and discussing the compo-
nent variables used to construct the concentrated disadvantage index).

103. We applied a log transformation to *Adjudication Time* in our regression
analysis since this variable generally follows a log-normal distribution.

used the *margins* command in Stata to obtain predicted values of *Approved* and *Adjudication Time*, respectively, for each field office.

In the second part of our analysis, we examined a number of contextual factors—i.e., field-office characteristics—that might predict approval and adjudication time. The focal predictors of interest in our regression analyses are field-office characteristics that we measured at the level of counties in which the field offices are located (on data sources for these variables, see Appendix Table 3). These variables include[104]:

- *White Majority* indicates whether a given county's population is majority white.
- *Republican Plurality* indicates whether a given county's plurality vote was for the Republican candidate in the 2016 presidential election.
- *Unemployment Rate* is the percentage of the county's labor force that is unemployed.
- *Applications Received* is the total number of applications received by a given field office during the study period.[105]
- *Large Metropolitan Area* indicates whether a given field office is located in a "large central metro" or "large fringe metro" county as designated by the National Center for Health Statistics.[106]

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104. We included as many theoretically relevant variables as possible that we could code from the N-400 Data and the Applicant Contextual Data.

105. We log-transformed *Applications Received* before conducting our linear regression analysis.

106. The National Center for Health Statistics has a six-category designation: large central metro, large fringe metro, medium metro, small metro, micropolitan, and non-core. *See NCHS Urban-Rural Classification Scheme for Counties*, NAT'L CENTER FOR HEALTH STATS., CDC, https://www.cdc.gov/nchs/data_access/urban_rural.htm [https://perma.cc/N7E6-P6L2]. The Vera Institute of Justice refers to the "large central metro" category as "large metro (urban)" and "large fringe metro" as "large metro (suburban)." *See* Jacob Kang-Brown & Ram Subramanian, *Out of Sight: The Growth of Jails in Rural America*, VERA INST. OF JUST. 8 (2017), https://www.vera.org/downloads/publications/out-of-sight-growth-of-jails-rural-america.pdf [https://perma.cc/T2U8-KKV7]. We refer to these categories collectively as "large metropolitan area" for the purposes of our analysis.

- *Detainer Agreement* indicates whether a given county had a 287(g) detainer agreement with Immigration and Customs Enforcement (ICE).[107]

Each of these models also included all of the individual-applicant characteristics and adjudication year. Finally, in a set of supplemental analyses that mirrors the regression analysis discussed above, in which the dependent variable is *Adjudication Time*, we also examined the predictors of *Time to Approval* and *Time to Denial.*

III. STUDY FINDINGS

We begin by presenting the descriptive statistics for all of the variables used in our analysis. Table 1 provides aggregate statistics at the application level (rather than at the field-office level). These statistics include proportions (for binary variables), mean values (for continuous variables), standard deviation (for continuous variables), and minimum/maximum values for each variable.

Table 1. Descriptive Statistics

Variable	Propor-tion/Mean	Standard Deviation (Min, Max)
Outcomes		
Approved	0.918	(0, 1)
Adjudication Time (days)	218.189	105.955 (0, 1630)
Applicant Characteristics		
Race/Ethnicity		
White	0.183	(0, 1)
Asian Pacific Islander	0.310	(0, 1)
Black	0.131	(0, 1)
Hispanic	0.376	(0, 1)

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107. We are grateful to Juan Pedroza for generously sharing the results of his Freedom of Information Act (FOIA) request with us that enabled us to code this variable. Section 287(g) of the Immigration and Nationality Act, codified as 8 U.S.C. § 1357(g), permits ICE to delegate authority to local law enforcement agencies to investigate, apprehend, and detain non-citizens. ABIGAIL F. KOLKER, CONG. RSCH. SERV., IF11898, THE 287(G) PROGRAM: STATE AND LOCAL IMMIGRATION ENFORCEMENT 1 (2021), https://crsreports.congress.gov/product/pdf/IF/IF11898 [https://perma.cc/2ZSY-QCTD].

Other	0.001	(0, 1)
Female	0.559	(0, 1)
Muslim-Majority Country	0.117	(0, 1)
Concentrated Disadvantage Index	0.455	0.914 (-1.677, 6.365)
Eligibility		
Lawful permanent resident for more than 5 years	0.876	(0, 1)
Married to U.S. citizen and U.S. resident for more than 3 years	0.124	(0, 1)
Other	0.000	(0, 1)
Marital Status		
Single	0.215	(0, 1)
Divorced	0.042	(0, 1)
Married	0.643	(0, 1)
Widowed	0.098	(0, 1)
Other	0.002	(0, 1)
Has Children	0.645	(0, 1)
Age (years)	42.503	14.739 (18, 109)
English-Speaking Country	0.236	(0, 1)
Year		
2015	0.284	(0, 1)
2016	0.298	(0, 1)
2017	0.279	(0, 1)
2018	0.138	(0, 1)
Field-Office Characteristics		
Majority White	0.281	(0, 1)
Republican Plurality	0.068	(0, 1)
Unemployment Rate	8.702	2.419 (3.192, 18.511)
Applications Received	53,446.250	28,183.770 (456, 118,570)
Large Metropolitan Area	0.906	(0, 1)
Detainer Agreement	0.220	(0, 1)

N = 2,687,101 applications

Table 1 shows that about 92% of all naturalization applications adjudicated during the study period were approved. Table 1 also shows that the average time to adjudication was over 218

days. Since the field-office characteristics are the focal predictors in our regression analyses, it is worth highlighting the aggregate statistics related to those variables: about 28% of the applications were adjudicated by field offices that were located in white-majority counties, and about 7% of the applications were adjudicated by field offices that were located in Republican counties. The average unemployment rate in the counties in which the field offices were located was about 9%. The average number of applications received by the field offices during the study period was about 53,400. Finally, about 91% of the applications were adjudicated by field offices located in large metropolitan areas, and about 22% were adjudicated in counties that had 287(g) agreements with ICE.

A. APPROVAL RATE

Figure 4 shows observed approval rates, with each bar representing an individual field office. Appendix Table 4 provides detailed statistics underlying Figure 4. Figure 4 is striking in its illustration of the widely diverging approval rates of different field offices. For example, the shortest bar in Figure 4, which represents the Imperial Field Office in California, reflects an approval rate of only 86.3% (among 8,466 applications adjudicated). By contrast, the tallest bar in Figure 4, which represents the Portland Field Office in Maine, reflects an approval rate of 97.3% (among 3,548 applications adjudicated).

Figure 4. Observed Approval Rates Among Field Offices,
Fiscal Years 2015–2018
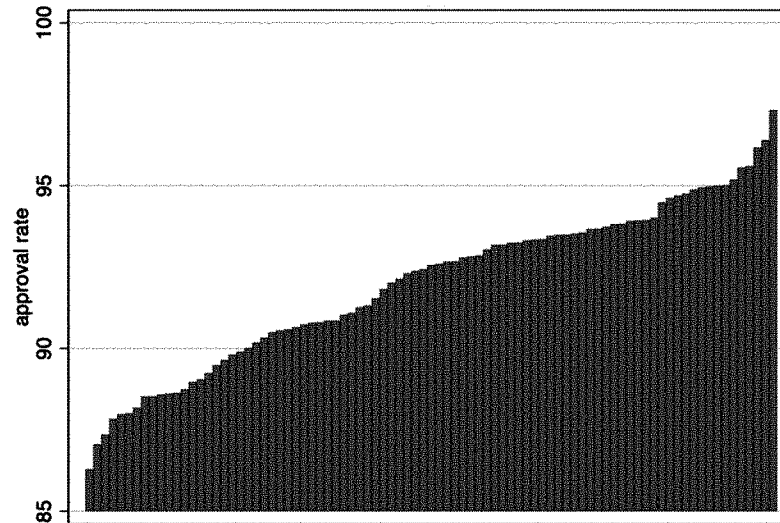
Note: Each bar represents an individual field office. Observed approval rates are calculated by dividing the total number of approved applications in any given field office by the total number of adjudicated applications in that field office.

We also examined whether there were any longitudinal trends in the approval disparities that we found. Figure 5 breaks down the observed approval rates among field offices by fiscal year. Appendix Table 5 presents the approval rates for the field offices, with the lowest and the highest approval rates for each fiscal year. The gap between the lowest and the highest approval rates is 11.4%, 13.1%, 11.7%, and 16.3% for 2015, 2016, 2017, and 2018, respectively. While the gap did not increase in a linear fashion over time, and there are too few time points to draw any definitive conclusions about long-term trends, it is worth noting that the gap did increase noticeably between 2015 and 2018. In other words, the disparities became more pronounced during this time period.

Figure 5. Observed Approval Rates Among Field Offices
By Fiscal Year
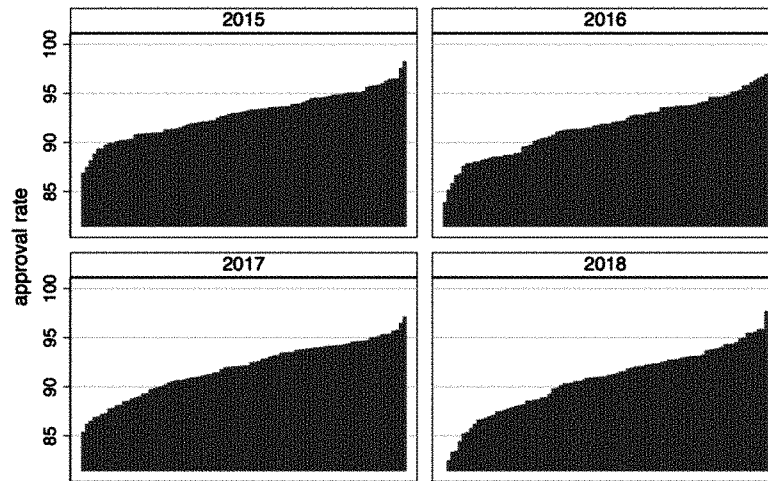
Note: Each bar represents an individual field office. Observed approval rates are calculated by dividing the total number of approved applications in any given field office by the total number of adjudicated applications in that field office.

Finally, to check that the wide disparities in approval rates are not due to systematic differences in the composition of applicants at different field offices, we conducted a logistic regression analysis that predicts the probability of approval, controlling for various individual-applicant characteristics and adjudication year (for the list of these variables, see *Note* accompanying Figure 6). The results are shown in Figure 6.

Figure 6. Predicted Approval Rates Among Field Offices,
Fiscal Years 2015–2018
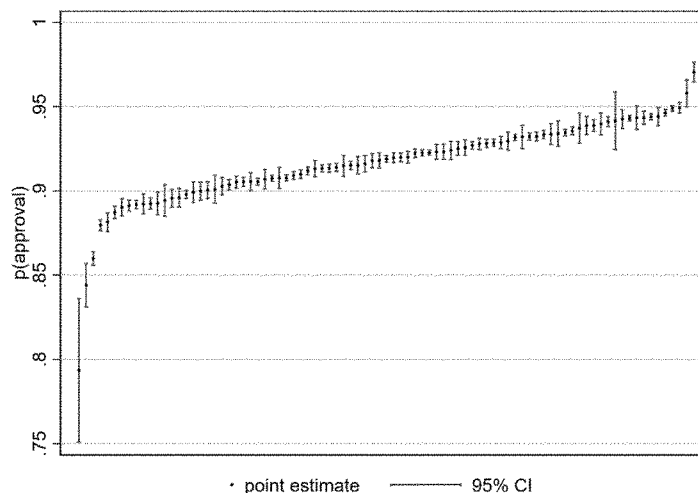
point estimate ———— 95% CI

Note: Each dot represents a point estimate for each field office. Blue bars represent 95% confidence intervals. The predicted probabilities shown were adjusted for *Race/Ethnicity*, *Female*, *Muslim-Majority Country*, *Concentrated Disadvantage Index*, *Eligibility*, *Marital Status*, *Has Children*, *Age*, *English-Speaking Country*, and *Year*.

According to Figure 6 (see Appendix Table 6 for the underlying statistics), controlling for all of the individual-applicant characteristics and adjudication year, Casper Field Office in Wyoming has the lowest predicted probability of approval at 79%, whereas the Portland Field Office in Maine has the highest predicted probability of approval at about 97%. In short, this analysis shows that the wide variations in approval rates across the field offices are not due to differences in the composition of applicants across field offices. Controlling for individual-applicant characteristics actually increases the gap between the lowest approval rate and the highest approval rate among the field offices.

B. AVERAGE TIME TO ADJUDICATION

Next, we examined variations in observed adjudication times. Figure 7 shows average adjudication times among field offices, with each bar representing an individual field office. Ap-

pendix Table 7 provides the statistics underlying Figure 7. Figure 7 shows wide disparities in adjudication times across different field offices. For example, the shortest bar in Figure 7, which represents the Yakima Field Office in Washington, reflects an average adjudication time of about 156 days (among 6,382 applications adjudicated). By contrast, the tallest bar in Figure 7, which represents the Des Moines Field Office in Iowa, reflects an average adjudication time of over 278 days (among 10,289 applications adjudicated).

Figure 7. Observed Times to Adjudication Among Field Offices, Fiscal Years 2015–2018
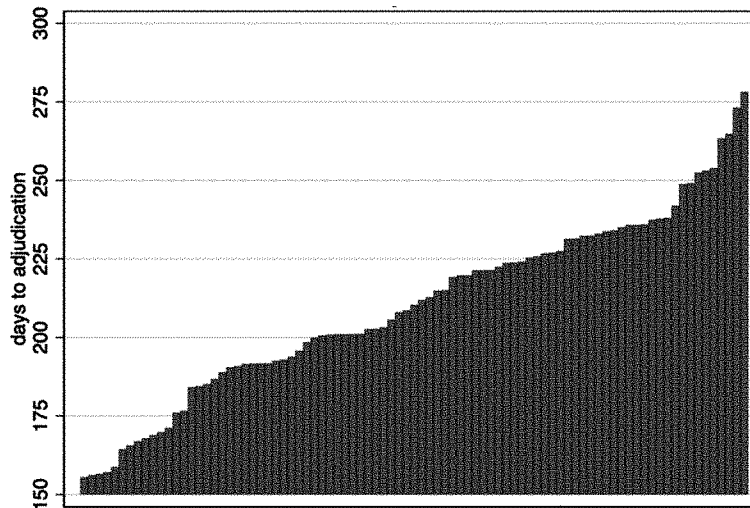
Note: Each bar represents an individual field office. Observed adjudication times are calculated by averaging the difference between the receipt date and the status date for all adjudicated applications within a given field office.

We also separately analyzed average times to approval and times to denial across the field offices. The results are presented in Appendix Figures 1 and 2, respectively. This analysis shows that the disparities present in the adjudication times are not attributable solely to disparities in times to approval or times to denial.

Next, we explored whether there were any longitudinal trends in disparities in average adjudication time. As shown in Figure 8, there is a general pattern of increase in average adju-

dication times between 2015 and 2018. There is also a substantial increase in the gap between the lowest and the highest average adjudication times between 2015 and 2018. More specifically, as shown in Figure 8 and documented in Appendix Table 8, the gap between the lowest and highest average adjudication times was 148.3 days in 2015 compared to 293.2 days in 2018.

Figure 8. Observed Times to Adjudication Among Field Offices by Year
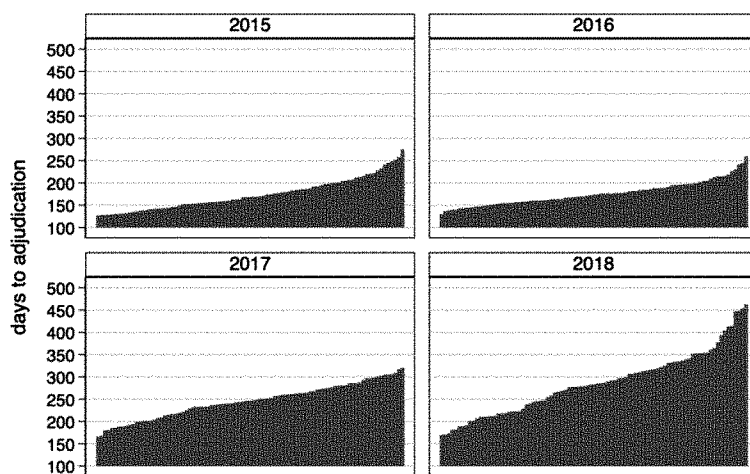
Note: Each bar represents an individual field office. Observed adjudication times are calculated by averaging the difference between the receipt date and the status date for all adjudicated applications within a given field office.

Finally, as with our analysis of approval rates, we sought to determine whether the disparities shown in Figure 7 were the result of compositional differences of applicants across field offices. Thus, we conducted a linear regression analysis that predicted adjudication times while controlling for various individual-applicant characteristics and adjudication year (for the list of these variables, see *Note* accompanying Figure 9). The results of our analysis are shown in Figure 9.

Figure 9. Predicted Times to Adjudication Among Field
Offices, Fiscal Years 2015–2018
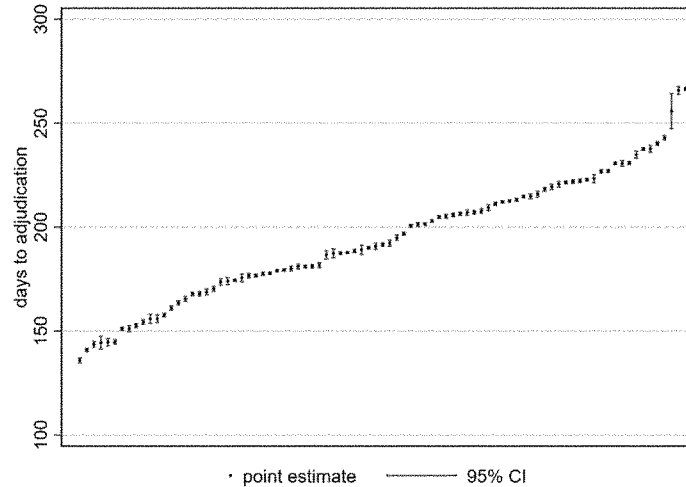
· point estimate   ———— 95% CI

Note: Each dot represents a point estimate for each field office. Blue bars represent 95% confidence intervals. The predicted probabilities shown were adjusted for *Race/Ethnicity, Female, Muslim-Majority Country, Concentrated Disadvantage Index, Eligibility, Marital Status, Has Children, Age, English-Speaking Country*, and *Year*.

Figure 9 shows that controlling for all of the relevant individual-applicant characteristics and adjudication year, Yakima Field Office in Washington has the lowest predicted adjudication time of about 136 days, whereas the Houston Field Office in Texas has the highest predicted adjudication time of over 266 days (see Appendix Table 9 for the underlying statistics). In short, this analysis shows that the wide variations in adjudication times across the field offices are not due to differences in the composition of applicants across field offices. As with approval rates, controlling for individual-applicant characteristics actually increases the gap between the lowest average adjudication time and the highest average adjudication time.

C. REGRESSION ANALYSES OF APPROVAL AND TIME TO ADJUDICATION

1. Predictors of Approval

A large body of research has sought to understand which factors determine whether an immigrant will apply for naturalization and acquire citizenship.[108] Acquisition is conditional on agency approval, but because no data has been available to investigate agency decision-making, existing literature does not provide a full understanding of citizenship acquisition.[109] Nonetheless, this literature provides an important starting point for our analysis. In particular, studies in this literature find that "citizenship acquisition is not just a matter of immigrants' personal characteristics, but also the welcome (or rejection) provided by native-born populations, policy environments, and the political system."[110] The idea is that these broader community

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108. For a review, see NAT'L ACADS. OF SCIS., ENG'G, & MED., THE INTEGRATION OF IMMIGRANTS INTO AMERICAN SOCIETY 167–80 (Mary C. Waters & Marisa Gerstein Pineau eds., 2015). For recent notable books on why immigrants seek to naturalize, barriers to obtaining citizenship, and their experiences of pursuing citizenship, see generally SOFYA APTEKAR, THE ROAD TO CITIZENSHIP: WHAT NATURALIZATION MEANS FOR IMMIGRANTS IN THE UNITED STATES (2015); MING HSU CHEN, PURSUING CITIZENSHIP IN THE ENFORCEMENT ERA (2020).

109. For example, existing studies that examine the determinants of naturalization seek to identify predictors of individuals' naturalized citizenship status. The outcome typically is a binary variable where 1 equals naturalized citizen, and 0 equals noncitizen. *See, e.g.*, Kelly Stamper Balistreri & Jennifer Van Hook, *The More Things Change the More They Stay the Same: Mexican Naturalization Before and After Welfare Reform*, 38 INT'L MIGRATION REV. 113, 120 (2004); Irene Bloemraad, *Citizenship Lessons from the Past: The Contours of Immigrant Naturalization in the Early 20th Century*, 87 SOC. SCI. Q. 927, 936 (2006). The noncitizen category, however, combines individuals who did not seek naturalization and those who sought naturalization but were denied.

110. Bloemraad & Sheares, *supra* note 10, at 836. In the context of naturalization among refugee populations in the United States, one study has concluded: "[I]nitial resettlement location plays a role in shaping the likelihood of naturalization, independent of sociodemographic characteristics." Nadwa Mossaad, Jeremy Ferwerda, Duncan Lawrence, Jeremy M. Weinstein & Jens Hainmueller, *Determinants of Refugee Naturalization in the United States*, 115 PROC. NAT'L ACAD. SCIS. U.S. 9175, 9178 (2018).

contexts—or what some scholars have called "contexts of reception"[111]—either encourage and help immigrants become citizens, or discourage and deter immigrants from seeking and attaining citizenship.[112]

 We argue that community contexts are similarly important in shaping the decision-making process of immigration officials adjudicating naturalization applications. Specifically, approvals may be less likely in field offices located in areas that are less welcoming of immigrants. Existing research on attitudes toward immigrants and immigration policy suggests that we focus our analysis on the racial composition, political ideology, and economic conditions of the local communities in which the field offices are located.[113] On the importance of examining the demographic/racial makeup of local communities to understand attitudes toward and treatment of immigrants, Richard Alba and Nancy Foner have emphasized: "[T]he most virulent negative attitudes and the most pronounced anti-diversity voting patterns are frequently found in places with *few* immigrants and

  111. Jennifer Van Hook, Susan K. Brown & Frank D. Bean, *For Love or Money? Welfare Reform and Immigrant Naturalization*, 85 SOC. FORCES 643, 643 (2006).

  112. *See, e.g.*, Michael Jones-Correa, *Institutional and Contextual Factors in Immigrant Naturalization and Voting*, 5 CITIZENSHIP STUD. 41, 51–52 (2001) (finding that institutional contexts are significant predictors of naturalization); David A. Cort, *Spurred to Action or Retreat? The Effects of Reception Contexts on Naturalization Decisions in Los Angeles*, 46 INT'L MIGRATION REV. 483, 511 (2012) (finding that "in Los Angeles County, the social and political climate . . . significantly influenced naturalization rates"); NAT'L ACADS. OF SCIS., ENG'G, & MED., *supra* note 108, at 175–79 (discussing the positive impact of various civil society initiatives on naturalization rates); Bloemraad & Sheares, *supra* note 10, at 835–36 (concluding that "citizenship acquisition is not just a matter of immigrants' personal characteristics, but also the welcome (or rejection) provided by native-born populations, policy environments, and the political system"); Maria Abascal, *Tu Casa, Mi Casa: Naturalization and Belonging among Latino Immigrants*, 51 INT'L MIGRATION REV. 291, 295 (2017) (arguing that naturalization is "shaped by the social contexts in which immigrants are embedded").

  113. For a review, see Elizabeth Fussell, *Warmth of the Welcome: Attitudes Toward Immigrants and Immigration Policy in the United States*, 40 ANN. REV. SOCIO. 479, 483–91 (2014) (discussing research on the role of dominant groups' perceived racial, economic, and political threat from immigrants in shaping the dominant groups' attitudes toward immigrants and immigration policy).

low ethnoracial diversity."[114] Other scholars have found that political conservatives and those who identify with the Republican Party are more likely to prefer lower levels of immigration and access to citizenship.[115] Further, a study of local law enforcement agencies by Doris Marie Provine and colleagues has shown that a key predictor of agency practices relating to immigrants is the political ideology of local voters.[116] Finally, a large body of research suggests that local economic conditions can induce a sense of intergroup threat and a perceived loss of status among the dominant group members.[117]

Drawing on these studies, we conducted regression analyses with a focus on the following three key measures of local community contexts as predictors: *White Majority*, *Republican Plurality*, and *Unemployment Rate*. The results of these regression analyses are presented in Table 2, which shows odds ratios. Odds ratios represent the estimated factor by which an independent variable predicts the odds of a given outcome. Each model shown in Table 2 includes all of the individual-applicant characteristics and the year in which the applications were adjudicated, as indicated by the checks corresponding to those rows in Models 1 through 3.

The results presented in Table 2 show that all three field-office characteristics are statistically significant predictors of approval. First, Table 2 shows that applications adjudicated in field offices located in white-majority communities have about

114.   Richard Alba & Nancy Foner, *Immigration and the Geography of Polarization*, 16 CITY & CMTY. 239, 239 (2017).

115.   Jack Citrin & Matthew Wright, *Defining the Circle of We: American Identity and Immigration Policy*, 7 FORUM 1, 7–10 (2009); Zoltan Hajnal & Michael U. Rivera, *Immigration, Latinos, and White Partisan Politics: The New Democratic Defection*, 58 AM. J. POL. SCI. 773, 774–76 (2014).

116.   DORIS MARIE PROVINE, MONICA W. VARSANYI, PAUL G. LEWIS & SCOTT H. DECKER, POLICING IMMIGRANTS: LOCAL LAW ENFORCEMENT ON THE FRONT LINES 62–93 (2016).

117.   Ryan D. King & Darren Wheelock, *Group Threat and Social Control: Race, Perceptions of Minorities and the Desire to Punish*, 85 SOC. FORCES 1255, 1272 (2007) (finding that unemployment rates and perceptions of economic threat are significant determinants of whites' punitive attitudes toward African Americans); Alin M. Ceobanu & Xavier Escandell, *Comparative Analyses of Public Attitudes Toward Immigrants and Immigration Using Multinational Survey Data: A Review of Theories and Research*, 36 ANN. REV. SOCIO. 309, 317–18, 322 (2010) ("Often modeled together with minority presence, economic condition has been another important macro-level predictor" of attitudes toward immigrants).

14% lower odds of approval than applications adjudicated in field offices located outside white-majority communities.[118] Second, applications adjudicated in field offices located in Republican-plurality counties have about 11% lower odds of approval than their non-Republican counterparts. Third, each percent increase in the unemployment rate of a county in which the field office is located lowers the odds of approval by about 3%.

Table 2. Logistic Regression Analysis of Approvals
(Odds Ratios)

	Approved		
Variable	Model 1	Model 2	Model 3
Field Office Characteristics			
White Majority	0.865***		
Republican Plurality		0.889***	
Unemployment Rate			0.973***
Applicant Characteristics	√	√	√
Year	√	√	√

Note: N = 2,687,101 applications. Applicant Characteristics include *Race/Ethnicity, Female, Muslim-Majority Country, Concentrated Disadvantage Index, Eligibility, Marital Status, Has Children,* and *English-Speaking Country.* ***p < 0.001 (two-tailed tests).

2. Predictors of Time to Adjudication

Next, we turn to our analysis of predictors of time to adjudication. To begin, it is useful to consider the national trend. At the end of 2010, there were about 291,800 applications pending, which increased to over 942,600 applications pending at the end of 2020.[119] This growth in pending cases has been reflected in increasing processing times for naturalization applications. According to a recent government estimate, the average processing time nationally doubled from about 6 months in 2010, to 10.3

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118. This and other interpretations of the odds ratios in Table 2 are based on the following calculation: (1 − odds ratio) x 100.
119. STRAUT-EPPSTEINER, *supra* note 3, at 25.

months in 2018, before declining to 9.3 months in 2020.[120] A variety of governmental, NGO, media, and scholarly sources have advanced two key explanations for the growing backlogs and delays in naturalization adjudication.

The first explanation focuses on the growing gap between the number of applications submitted and the resources and staffing needed to process those applications.[121] USCIS is a fee-funded agency, but it has experienced significant budget shortfalls in the past decade. According to the USCIS Ombudsman's 2020 Annual Report: "Although USCIS has almost doubled its authorized staffing since FY 2009, it remains unable to process all cases within time projections due to insufficient staffing levels and facilities."[122] The second explanation focuses on USCIS's implementation of increasingly stringent vetting practices that have generated protracted deferrals.[123] These practices have been described as a "strategic postponement" of naturalization determinations based on perceptions of certain applicants as security threats or "undesirable" citizens.[124] According to Noora Lori, strategic postponement is "a strategy of exclusion that tampers with inclusion criteria rather than denying outright."[125]

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120. *Id.*

121. *See 2020 Ombudsman Report, supra* note 60, at 12–18 (discussing inadequate staffing as one of the causes of the naturalization backlog); Unclog the Naturalization Backlog, NAT'L IMMIGR. F. (Sept. 13, 2018), https://immigrationforum.org/article/unclog-the-naturalization-backlog [https://perma.cc/2C8U-WBAF] (arguing that USCIS requires additional staff to decrease the naturalization application backlog).

122. *2020 Ombudsman Report, supra* note 60, at 15.

123. *See* Denying the Right to Vote: Politicization of the Naturalization Process as a Novel Form of Voter Suppression, IMMIGRANT LEGAL RES. CTR. & BOUNDLESS 7 (Oct. 15, 2020), https://www.ilrc.org/sites/default/files/resources/2020.10_ilrc_denying_the_right_to_vote.pdf [https://perma.cc/XL6R-ASAL] (stating that USCIS's "extreme vetting" policies "have slowed down naturalization adjudications, increased red-tape and created skyrocketing naturalization backlogs"); Nicole Narea, *How Trump Made It That Much Harder to Become a US Citizen,* VOX (Sept. 3, 2020), https://www.vox.com/2020/9/3/21408528/trump-naturalization-backlog-citizenship-voting [https://perma.cc/KBD2 -SRE4] (attributing delays in naturalization adjudication to Trump administration's "extreme vetting" policy).

124. Noora Lori, *Citizens-in-Waiting: Strategic Naturalization Delays in the U.S.A. and U.A.E.,* 45 ETHNIC & RACIAL STUD. 1075, 1076, 1078 (2021).

125. *Id.* at 1076.

These explanations may illuminate disparities that we found in adjudication times across field offices insofar as resource deficits and vetting practices differ across field offices. A direct test of that hypothesis, however, requires data that is not available: field-office-specific measures of resource/staffing levels and intensity of vetting practices. Thus, we take a different empirical approach that is centered on the following two propositions: first, the total number of applications received by each field office should not be a significant predictor of adjudication time if budget and staffing constraints proportionally impact all field offices equally.[126] Second, stringent vetting practices that are associated with delays in adjudication may be more common in communities with an enforcement-focused approach in their treatment of immigrants. As a proxy for this type of an enforcement-focused approach, we coded *Detainer Agreement* to indicate whether a county in which the field office is located had a 287(g) agreement with ICE. Detainer agreements allow federal immigration enforcement authorities to directly delegate certain immigration enforcement functions to state and local law enforcement agencies.[127]

Table 3. Linear Regression Analysis of Time to Adjudication

Variable	Time to Adjudication (Log)		
	Model 1	Model 2	Model 3
Field Office Characteristics			
Applications Received (Log)	0.069***		
Large Metropolitan Area		0.101***	
Detainer Agreement			0.032***
Applicant Characteristics	√	√	√
Year	√	√	√

Note: N = 2,687,101 applications. Applicant Characteristics include *Race/Ethnicity, Female, Muslim-Majority Country, Concentrated Disadvantage Index, Eligibility, Marital Status, Has Children,* and *English-Speaking Country.* ***p < 0.001 (two-tailed tests).

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126. Put another way, if the total volume of applications in each field office predicted adjudication time, an uneven distribution of resource deficits may be an important driver of disparities in adjudication times across field offices.

127. Emily Ryo & Ian Peacock, *Jailing Immigrant Detainees: A National Study of County Participation in Immigration Detention, 1983–2013*, 54 LAW & SOC'Y REV. 66, 70–71 (2020).

Table 3 presents the results of our regression analyses that evaluate these propositions by predicting adjudication time (logged days) while controlling for individual-applicant characteristics and adjudication year. In Model 1, the focal predictor variable of interest is the total number of applications received at the field-office level.[128] Model 1 of Table 3 shows that for every 1 percent increase in the total number of applications received, adjudication time increases by about 0.07%, controlling for all applicant characteristics and the year in which the applications were adjudicated.

Because the scale of this relationship is difficult to appreciate in practical terms, in Model 2 of Table 3 we also examined the relationship between urbanicity of the field-office location (*Large Metropolitan Area*) and adjudication time. The variable, *Large Metropolitan Area*, is highly correlated with the total number of applications received: field offices in large metropolitan areas received an average of over 57,500 applications during the study period, whereas those not in large metropolitan areas received only about 14,500 applications.[129] Model 2 of Table 3 shows that adjudication by field offices in large metropolitan areas increases the adjudication time by about 11%.[130] Finally, Model 3 of Table 3 shows that adjudication by field offices in counties that have detainer agreements with ICE increases the adjudication time by about 3%.[131]

As noted earlier, we also conducted these same regression analyses with *Time to Approval* and *Time to Denial* as outcomes of interest. Those supplemental analyses produced substantially similar results as the regression analyses of *Adjudication Time* discussed above.[132]

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128. As explained earlier, the dependent variable in this analysis is logged count of *Adjudication Time. See supra* note 103.

129. The difference is statistically significant at $p < 0.001$.

130. This interpretation of the coefficient in Table 3 is based on the following calculation: $(\exp(0.101) - 1) \times 100$.

131. This interpretation of the coefficient in Table 3 is based on the following calculation: $(\exp(0.032) - 1) \times 100$.

132. More specifically, the regression coefficients of the three focal predictors—*Application Received, Large Metropolitan Area*, and *Detainer Agreement*—had the same direction and statistical significance in both the supplemental regression analyses and the regression analyses of *Adjudication Time*. We do not present the results of the supplemental analyses here due to space constraints, but the results are available upon request.

IV. POLICY IMPLICATIONS

Much has been written about naturalization laws and policies on the books in the United States and in other parts of the world.[133] Voluminous literature also exists on immigrants' propensity to naturalize.[134] But both bodies of scholarship largely ignore the agency-adjudication side of the story—what happens once an immigrant submits their application for naturalization and the agency must determine its outcome? Do the applications face the same odds of getting approved as their counterparts in other parts of the country? Do they face the same amount of adjudication time as their counterparts in other parts of the country? Does the fate of applications depend on which field office happens to be in charge of deciding the applications?

This Article presents the first comprehensive empirical study of naturalization adjudication that seeks to address these questions, and it does so at a critical moment in policymaking on naturalization. In February of 2021, President Joe Biden issued an executive order directing the Secretary of State, the Attorney General, and the Secretary of DHS to develop a plan to "improve the existing naturalization process."[135] That task requires a deeper understanding of the inequalities that characterize the naturalization process. Our analysis revealed substantial disparities in naturalization adjudication outcomes across USCIS field offices. We also identified key field-office characteristics that are predictive of approval and adjudication time.

In summary, approval odds are significantly lower for applications adjudicated by field offices located in white-majority counties and in Republican counties. In addition, the higher the unemployment rate, the lower the approval odds. In terms of adjudication time, the higher the total number of applications received by the field office, the longer the adjudication time. But another important predictor of longer adjudication time is the location of the field office in an enforcement-focused county, which suggests that disparities in adjudication time are not

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133. *See, e.g.*, LÓPEZ, *supra* note 35; SMITH, *supra* note 35; NGAI, *supra* note 35.

134. *See, e.g.*, Bloemraad, *supra* note 109; Balistreri & Van Hook, *supra* note 109; Abascal, *supra* note 112; Mossaad et al., *supra* note 110.

135. Exec. Order No. 14,012, 86 Fed. Reg. 8277, 8278 (Feb. 5, 2021), https://www.govinfo.gov/content/pkg/FR-2021-02-05/pdf/2021-02563.pdf [https://perma.cc/E2KM-LULD].

merely a function of resource deficits across field offices, but also of local politics that might create disparate vetting practices. Below, we discuss the implications of these findings for policymaking on naturalization adjudication.

A. SEPARATING ENFORCEMENT FROM THE SERVICE FUNCTION

Equality demands consistent application of a uniform standard across all field offices. Consistent application across field offices, in turn, may be relatively harder to achieve when the agency is operating with a focus on enforcement directives compared to when it is operating with a focus on service directives. As Fatma Marouf has argued, immigration enforcement is susceptible to drastic regional variations, because enforcement decisions are invariably shaped by geographic differences in immigration politics, enforcement priorities, and the willingness of local law enforcement to cooperate with federal authorities.[136] By contrast, consider the primary goals of adjudication under the service model, as described in the USCIS Adjudicator's Field Manual:

> The principal intent of the Service is not to oppose the interviewee's goal of obtaining a benefit, but to determine whether he or she qualifies for such benefit. If the interviewee qualifies for the benefit, it is in the Service's interest to accommodate that goal. On the other hand, if he or she does not qualify for the benefit, it is in the Service's interest to deny the application or petition. Therefore, unlike an adversarial proceeding, the interests of the Service and the applicants are not mutually exclusive.[137]

Yet USCIS has become increasingly enforcement-focused in orientation over the years. One stark illustration of this trend was the change that USCIS implemented to its mission statement in 2018, which received wide media coverage. The mission statement was changed from securing "America's promise as a nation of immigrants" and providing "accurate and useful information" to "customers," to "protecting Americans, securing the homeland, and honoring our values."[138] In addition, a growing

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136. Marouf, *supra* note 27, at 1598–99.

137. Beth K. Zilberman, *The Non-Adversarial Function of Immigration Adjudication*, 2020 WIS. L. REV. 707, 749 (2020) (quoting U.S. CITIZENSHIP & IMMIGR. SERVS., ADJUDICATOR'S FIELD MANUAL § 15.4(a) (2012)).

138. *See, e.g.*, Richard Gonzales, *America No Longer A 'Nation of Immigrants,' USCIS Says*, NPR (Feb. 22, 2018), https://www.npr.org/sections/thetwo-way/2018/02/22/588097749/america-no-longer-a-nation-of-immigrants-uscis-says [https://perma.cc/4UQT-VYCN].

number of scholars have documented shifts in USCIS's institutional culture and practices that indicate that enforcement has become an important priority for USCIS. For example, Nina Rabin's case studies highlight the rise of heightened screening procedures that have fundamentally transformed once routine and relatively straightforward processes: "The agency has shifted from a customer service culture in its approach to reviewing affirmative applications for visas and benefits to applying much more scrutiny to all requests, from humanitarian visas to family-based petitions."[139] Beth Zilberman has described growing cooperation between USCIS and ICE where, for example, USCIS adjudicators have facilitated ICE arrests during field office interviews.[140] Some observers have referred to this turn toward an enforcement-focused approach within USCIS as a "second wall" (the first wall referring to the U.S.-Mexico border wall) that prevents full integration of immigrants in the United States.[141]

A return to the non-adversarial model of agency decision-making may promote more consistent decisions across field offices in naturalization adjudication. In addition, such a move would give full faith and credit to what Congress originally intended in authorizing the formation of USCIS. USCIS was formed after 9/11 when the Homeland Security Act of 2002 dismantled the Immigration and Naturalization Service (INS) into three component agencies within DHS: USCIS, ICE, and Customs and Border Protection (CBP).[142] Congressional intent in breaking up the INS—which had handled both service and enforcement functions pre-9/11—was to create component agencies with distinctive roles.[143] USCIS was tasked with performing immigration adjudication services, ICE with interior enforcement, and CBP with border enforcement.[144] Importantly, Congress in-

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139. Nina Rabin, *Searching for Humanitarian Discretion in Immigration Enforcement: Reflections on a Year as an Immigration Attorney in the Trump Era*, 53 U. MICH. J.L. REFORM 139, 164 (2019).

140. Zilberman, *supra* note 137, at 753–54.

141. Ming H. Chen & Zachary New, *Silence and the Second Wall*, 28 S. CAL. INTERDISC. L.J. 549, 549 (2019).

142. SMITH, *supra* note 58, at 1.

143. Zilberman, *supra* note 137, at 731.

144. SMITH, *supra* note 58, at 1, 5.

tended for USCIS's service functions to remain separate and insulated from enforcement functions of ICE and CBP.[145]

Whether and to what extent such a separation of functions may yield desired results remains an important empirical question that requires further investigation. Of course, even if USCIS were to return to the exclusive service model of operation that Congress originally had intended, inconsistencies across field offices are likely to remain if adjudicators in certain offices were systematically more prone to bias than others. We consider that possibility in the next section.

B. REDUCING BIAS

In discussing the operation of regional offices that carry out the work of federal agencies, Yishai Blank and Issi Rosen-Zvi observed: where "consistent application with very little regional variation should be the rule . . . regional offices' decisions should be strictly monitored by the central headquarters in order to prevent the discriminatory and unequal results that might accompany regional decentralization of power."[146] We argue that while such monitoring is important, there are two other equally important measures to promote fairness and consistency in agency decision-making in the context of naturalization adjudication. The first relates to training adjudicators, and the second relates to constraining their discretion in processing steps where decision-making may be especially vulnerable to bias or discrimination.

The USCIS Ombudsman, in the 2021 Annual Report, recommended that the field offices "[i]ncrease USCIS officers' training to improve consistency of adjudication."[147] This recommendation applied specifically to USCIS's adjudication of disability waiver requests for certain naturalization applicants. The 2021 Annual Report explained, "[i]f disability waiver requests continue to be adjudicated by officers at local field offices, then

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145. Zilberman, *supra* note 137, at 731.

146. Blank & Rosen-Zvi, *supra* note 23, at 1959.

147. Phyllis A. Coven, Citizenship & Immigr. Servs. Ombudsman, *Annual Report 2021*, OFF. OF THE CITIZENSHIP & IMMIGR. SERVS. OMBUDSMAN 49 (June 30, 2021), https://www.dhs.gov/sites/default/files/publications/dhs_2021_ombudsman_report_med_508_compliant.pdf   [https://perma.cc/4AAD-KBGJ] (italics removed).

USCIS should continue to provide adjudicators enhanced, uniform training" because "[w]ell-trained officers will be more efficient by asking more directed questions that get to the issues for which they seek information and will likely make fewer mistakes, resulting in fewer delays and higher-quality decisions."[148] These recommendations should apply not only to disability waiver training but more broadly to the entire adjudication process.

Although not much is publicly known about the training of USCIS officials who adjudicate naturalization applications, Michelle Baptiste and Mary Seig have noted, "[t]he training that officers do receive is mainly procedural in nature."[149] At a minimum, training should include de-biasing programs to address explicit and implicit bias and to enhance intercultural communications during naturalization interviews. In addition, these types of trainings should be accompanied by structural changes that reduce the caseload of individual adjudicators in light of studies that show that decisional environments characterized by time pressure and incomplete information heighten the salience of social stereotypes and biases.[150] These are reforms that a growing number of observers have advocated as crucial to improving the fairness and accuracy of administrative decision-making in immigration court context.[151] But they are equally relevant and necessary in achieving the same goals in the naturalization adjudication context.

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148. *Id.*

149. Michelle C. (Winn) Baptiste & Mary Theresa Seig, *Training the Guardians of America's Gate: Discourse-Based Lessons from Naturalization Interviews*, 39 J. PRAGMATICS 1919, 1921 (2007).

150. *See* Susan T. Fiske & Steven L. Neuberg, *A Continuum of Impression Formation, from Category-based to Individuating Processes: Influences of Information and Motivation on Attention and Interpretation*, 23 ADVANCES EXPERIMENTAL SOC. PSYCH. 1, 34–35 (1990) (discussing studies that show that time pressure and lack of information promote categorical thinking); Ziva Kunda & Steven J. Spencer, *When Do Stereotypes Come to Mind and When Do They Color Judgment? A Goal-Based Theoretical Framework for Stereotype Activation and Application*, 129 PSYCH. BULL. 522, 536, 538 (2003) (discussing studies that show that stereotype activation is more likely under conditions of high time pressure and lack of individuating information about people).

151. *See, e.g.*, Ramji-Nogales et al., *supra* note 24, at 381–82 (advocating that more rigorous training resource provision for immigration judges); Fatma E. Marouf, *Implicit Bias and Immigration Courts*, 45 NEW ENG. L. REV. 417, 447–48 (2011) (discussing the importance of reducing the caseload and providing bias training to immigration judges).

Formally, USCIS has represented that naturalization adjudication does not implicate discretion.[152] This is misleading since naturalization adjudication in practice invariably implicates a variety of discretionary decision-making.[153] Two areas are of particular concern in this respect. First, the law requires the applicant to establish "good moral character" as a requirement for naturalization.[154] Instead of defining "good moral character" affirmatively, however, the law lists a non-exhaustive host of offenses that would preclude the finding of good moral character.[155] The statute then goes on to state that USCIS may still determine that the applicant lacks good moral character even if they had not committed any of the enumerated offenses.[156] In brief, USCIS makes determinations on a "case-by-case basis" and considers the statutory bars along with the "standards of the average citizen in the [applicant's] community of residence."[157] Studies of the "good moral character" requirement suggest that the ambiguities present in this legal standard promote exercise of discretion that can easily result in biased decision-making and unequal application of the law.[158]

Second, it is possible and likely that security vetting, which became the stated core mission of USCIS under the Trump administration,[159] may differ by field offices as a result of varying

152. U.S. CITIZENSHIP & IMMIGR. SERVS., *supra* note 30.

153. *See, e.g.*, Elizabeth Carlson, *Handling the Complex Naturalization Application*, 15-06 IMMIGR. BRIEFINGS 1, 3 (2015) ("Failure to support dependents may also lead USCIS to deny the naturalization application as a matter of discretion"); 7 GORDON ET AL., *supra* note 18, § 96.07 ("The reviewing officer may, in his or her discretion, conduct a full *de novo* hearing (including re-testing the applicant on English literacy and civics), or may use a less formal review procedure.").

154. Immigration and Nationality Act § 316(a)(3), 8 U.S.C. § 1427(a)(3); *see also* 7 GORDON ET AL., *Immigration Law and Procedure* § 95.04.

155. Immigration and Nationality Act § 101(f), 8 U.S.C. § 1101(f).

156. *Id.* ("The fact that any person is not within any of the foregoing classes shall not preclude a finding that for other reasons such person is or was not of good moral character").

157. 8 C.F.R. § 316.10(a)(2) (1995).

158. Kevin Lapp, *Reforming the Good Moral Character Requirement for U.S. Citizenship*, 87 IND. L.J. 1571, 1606–12 (2012); Sarah C. Bishop, *Model Citizens: The Making of an American Throughout the Naturalization Process*, 10 COMMC'N, CULTURE & CRITIQUE 479, 484–85 (2017); Arastu, *supra* note 85, at 1092.

159. During the Trump administration, acting director Ken Cuccinelli made it explicit that USCIS was no longer a service-oriented agency but instead a

discretionary practices. Consider, for example, a clandestine USCIS program known as the Controlled Application Review and Resolution Program (CARRP) that has existed since 2008.[160] Under this program, USCIS officials identify applicants who raise "national security concerns" and effectively transfer their files to the FBI for further investigation.[161] The identification criteria for CARRP have been described as "opaque, ambiguous, and discretionary."[162] But the process is known to often target Muslim Americans and results in indefinite delays in naturalization adjudication.[163] Discretionary programs such as these underscore the need for legislative and policy reforms that eliminate or reduce opportunities for biased or discriminatory exercise of discretion.

C. PROMOTING TRANSPARENCY

Finally, we highlight two key areas relating to transparency in processing that warrant systematic investigation. The first area relates to USCIS adjudicators. In the context of immigration court proceedings, scholars have analyzed whether certain judge attributes are related to legal outcomes.[164] This approach

vetting agency. *See* Louise Radnofsky, *Ken Cuccinelli Takes Reins of Immigration Agency with Focus on Migrant Vetting*, WALL ST. J. (July 6, 2019), https://www.wsj.com/articles/ken-cuccinelli-takes-reins-of-immigration-agency -with-focus-on-migrant-vetting-11562410802 [https://perma.cc/FQ4N-PX6N] (quoting Ken Cuccinelli: "We are not a benefit agency, we are a vetting agency.").

    160. Lori, *supra* note 124, at 1076.

    161. Memorandum from Jonathan R. Scharfen, Deputy Director, USCIS, to Field Leadership, USCIS, Policy for Vetting and Adjudicating Cases with National Security Concerns (Apr. 11, 2008), https://www.aclusocal.org/sites/ default/files/wp-content/uploads/2013/01/CARRP-Policy-for-Vetting-and -Adjudicating-Cases-w-NS-Concerns-Apr.-11-2008.pdf [https://perma.cc/5WAY -LNNB].

    162. Lori, *supra* note 124, at 1084 (quoting interview with Kevin Gregg).

    163. *Muslims Need Not Apply*, ACLU OF S. CAL., LAWYERS' COMMITTEE FOR CIVIL RIGHTS & MAYER BROWN, LLP (Aug. 2013), https://www.aclusocal.org/ sites/default/files/field_documents/161849063-muslims-need-not-apply-aclu -socal-report.pdf [https://perma.cc/8EYT-426J]; Katie Traverso & Jennie Pasquarella, *Practice Advisory: USCIS's Controlled Application Review and Resolution Program*, ACLU OF S. CAL. 7–8 (2016), https://www.aclusocal.org/ sites/default/files/carrp_practice_advisory_final.pdf [https://perma.cc/RC5V -288S].

    164. *See, e.g.*, Ramji-Nogales et al., *supra* note 24, at 342–49 (examining the relationship between asylum decision-making and immigration judges' gender and past work experience); Banks Miller, Linda Camp Keith & Jennifer S.

to exploring the determinants of court outcomes has a long and rich tradition in research on judicial decision-making across many areas of law, including immigration law. This approach is grounded in the recognition that judging is deeply shaped by who the judges are, their experiences, and the broader social and political context in which they operate.[165] Thus, studies have examined the importance of judges' demographic characteristics (such as their race and gender), background (educational and professional), judicial ideology (liberal or conservative), and judging practices (such willingness to grant continuances).[166] Of note, this type of empirical research is possible because the judiciary—or in the case of immigration courts, the Executive Office of Immigration Review[167]—makes the individual identity of judges and the cases to which they are assigned publicly available. By contrast, USCIS does not make available any information about agency officials who adjudicate naturalization applica-

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Holmes, *Leveling the Odds: The Effect of Quality Legal Representation in Cases of Asymmetrical Capability*, 49 LAW & SOC'Y REV. 209, 223–24 (2015) (discussing the possible relationship between asylum case outcomes and immigration judges' political ideology and gender); Catherine Y. Kim & Amy Semet, *An Empirical Study of Political Control over Immigration Adjudication*, 108 GEO. L.J. 579, 612–13 (2019) (discussing the possible relationship between removal-proceeding outcomes and immigration judges' gender, past work experience, and judicial tenure); Emily Ryo & Ian Peacock, *Represented But Unequal: The Contingent Effect of Legal Representation in Removal Proceedings*, 55 LAW & SOC'Y REV. 634, 638 (2021) (finding that immigration judges' gender and judicial tenure moderate the effect of legal representation on removal-proceeding outcome).

   165. *See* LEE EPSTEIN, WILLIAM M. LANDES & RICHARD A. POSNER, THE BEHAVIOR OF FEDERAL JUDGES: A THEORETICAL AND EMPIRICAL STUDY OF RATIONAL CHOICE 385–86 (2013) (concluding that judges are influenced by ideology, leisure preferences, effort aversion, promotional interests, desires for celebrity, and personal causes beyond the law); Jeffrey J. Rachlinski & Andrew J. Wistrich, *Judging the Judiciary by the Numbers: Empirical Research on Judges*, 13 ANN. REV. L. & SOC. SCI. 203, 204–05 (2017) ("[W]hen cases raise issues that are salient to judges' personal characteristics, they do not consistently put their characteristics aside, . . . judges overreact to mechanisms of accountability, such as appellate review, retention, and promotion," rely on misleading intuitive ways of thinking, and sometime rely on factors outside the record); Allison P. Harris & Maya Sen, *Bias and Judging*, 22 ANN. REV. POL. SCI. 241, 242 (2019).

   166. For a review, see Harris et al., *supra* note 165.

   167. Immigration courts are not part of the judicial branch but rather, part of the executive branch. Immigration judges are attorneys whom the Attorney General appoints to serve within an agency called the Executive Office for Immigration Review. *See* Ryo & Peacock, *supra* note 164, at 636.

tions nor even aggregate information about how many adjudicators handle naturalization applications in each field office, what their backgrounds are, what type of training they receive, and how workloads are distributed.

It is difficult to justify the government's willingness to release information about immigration judges but not information about USCIS adjudicators, as there is no basis to believe that administrative officials and their decision-making require greater privacy protection. In the past, USCIS has released data on asylum adjudication at the level of individual asylum officers, which has enabled researchers to conduct impactful analysis of disparities in asylum outcomes across individual asylum officers.[168] To be clear, individually-identifying information about USCIS officials is not necessary to conduct meaningful investigations about the naturalization process; all that is needed is anonymized data on adjudicators to explore questions such as adjudicator attributes as possible predictors of adjudication outcomes.

The second area of concern relates to lack of research about the workings of USCIS field offices and information about their on-the-ground realities. This type of research can generate new knowledge about the level and type of institutional resources and dynamics that facilitate or hamper efficient and fair decision-making. Janet Gilboy's 1991 study of how border inspectors exercise their discretion to implement national exclusion laws and procedures at U.S. ports of entry is a natural template for this type of exploration.[169] Based on her interviews with the inspectors as they went about their work, as well as her on-site observations of the inspection process, Gilboy was able to develop a rich account of how and why border inspectors made the decisions that they made.[170] A similar approach to investigating the naturalization adjudication process from the inside requires, at a minimum, access to USCIS field offices that enable ethnographies of their institutional practices and work cultures.

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168. *See* Ramji-Nogales et al., *supra* note 24, at 313–16 (analyzing grant rate disparities across individual asylum officers).

169. Janet A. Gilboy, *Deciding Who Gets In: Decisionmaking by Immigration Inspectors*, 25 LAW & SOC'Y REV. 571 (1991).

170. *Id.* at 596–97.

CONCLUSION

USCIS policy manual on citizenship and naturalization opens with the following exhortation:

> United States citizenship is a unique bond that unites people around civic ideals and a belief in the rights and freedoms guaranteed by the U.S. Constitution. The promise of citizenship is grounded in the fundamental value that all persons are created equal and serves as a unifying identity to allow persons of all backgrounds, whether native or foreign-born, to have an equal stake in the future of the United States.[171]

That the realization of such an essential promise may be contingent on where an immigrant happens to reside in the United States and which USCIS field office happens to adjudicate their application, is deeply troubling and counter to the core value of equality underpinning the promise. This Article has sought to uncover the nature and possible origins of disparities in the naturalization process that can serve as the first step toward achieving a more fair and equitable system for aspiring citizens.

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171. *USCIS Policy Manual, Volume 12: Citizenship and Naturalization, Part A, Chapter 1*, U.S. CITIZENSHIP & IMMIGR. SERVS. (Sept. 8, 2022), https://www.uscis.gov/policy-manual/volume-12-part-a-chapter-1 [https://perma.cc/53CB-Y6WQ].

METHODS APPENDIX

A. N-400 Data

USCIS produced two sets of data in response to two Freedom of Information Act (FOIA) requests. Data produced in response to the first FOIA request includes applications received by USCIS between September 13, 2013 and August 6, 2018; the status of these applications was updated through April 2, 2019. Data produced in response to the second FOIA request includes applications received by USCIS between August 1, 2018 and October 9, 2019; the status of these applications was updated through November 28, 2019. We appended these two datasets and identified duplicate records using the unique identifier associated with each application. Of the 5,281,293 data rows in the appended dataset, there were 5,266,850 unique applications, most of which were represented by a single data row. A small number of unique applications (14,443) were represented by two data rows; for these applications, we retained the data row with the most recent status date or data production date.

In creating the analytic sample for the study's main analysis, we imposed the following restrictions on the dataset:

Geographic Restriction. We excluded 25,359 applications from U.S. territories, 4,740 applications from overseas military bases, and 976 applications from international addresses or addresses with ZIP Codes that could not be matched to a USCIS field office.

Status Date Restriction. There are 3,279 applications that had a status date that preceded the receipt date. We excluded these applications from further analysis since the status date cannot logically precede the receipt date.

Exclusion of Child Applicants. The N-400 form is intended for applicants who are at least eighteen years of age. We thus excluded 9,376 applications relating to applicants who were either under the age of eighteen when the application was received by USCIS or their eligibility was recorded as "Permanent Resident Child."

Exclusion of Military Applicants. We excluded 46,650 applications where military service was indicated as the basis for naturalization eligibility.

Date Restriction. We restricted our analysis to applications that were adjudicated by USCIS between the start of the first

quarter of fiscal year 2015 (October 1, 2014) and the end of the second quarter of fiscal year 2018 (March 31, 2018). We chose this time period by comparing the number of non-military application approvals and denials in our N-400 Data against aggregate performance data (Performance Data) published by USCIS.[172] Prior to quarter one of fiscal year 2015, our N-400 Data showed substantially fewer approvals and denials than the Performance Data, which is to be expected since the Performance Data include applications received prior to our FOIA request cutoff receipt date, September 13, 2013. After quarter two of fiscal year 2018, our N-400 Data showed more approvals than the Performance Data for reasons that are unclear. In short, restricting the data to the specified time period ensures that our analysis uses only that portion of the N-400 Data that is commensurate with the published aggregate Performance Data. Applying these restrictions yielded a sample of 2,770,706 applications.

Status Restriction. We excluded 68,840 applications that had a status other than "Approved," or "Denied." Specifically, applications with the following status were excluded from further analysis: "Admin Closed," "Rejected," and "Pending." An application may be administratively closed if, after USCIS accepts and processes the application, no substantive decision on the merits is issued for one reason or another. In contrast, an application that is incomplete or improperly filed will be rejected at the outset. For example, "[a]ny Form N-400 that is not signed or accompanied by the correct filing fee and biometric services fee will be rejected."[173]

Listwise Deletion. Listwise deletion produced the final analytic sample of 2,687,101 applications adjudicated during the study period.

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172. IMMIGRATION AND CITIZENSHIP DATA, *supra* note 74 (select "Naturalization (Form N-400)" from the "filter by category") dropdown menu and choose "Form N-400, Application for Naturalization, by Category of Naturalization, Case Status, and USCIS Field Office Location" for various quarters and fiscal years).

173. *Instructions for Application for Naturalization*, U.S. CITIZENSHIP & IMMIGR. SERVS. (2019), https://www.uscis.gov/sites/default/files/document/forms/n-400instr.pdf [https://perma.cc/7BJC-UEPN].

B. APPLICANT CONTEXTUAL DATA

We constructed the Applicant Contextual Data by matching an applicant's ZIP Code from the N-400 Data with a ZIP Code Tabulation Area (ZCTA) using a publicly available crosswalk file.[174] We then generated the *Concentrated Disadvantaged Index* (*CDI*) using the following eight variables from the American Community Survey (ACS): (1) percent individuals below the poverty line, (2) percent households receiving public assistance, (3) percent female-headed households, (4) percent individuals unemployed, (5) percent individuals less than age eighteen, (6) percent Black, (7) percent individuals with less than high school education, and (8) percent owner-occupied homes. We used the ACS data corresponding to the year that the application was received by USCIS.

C. ISSUES RELATING TO USCIS DATABASE SYSTEMS

The N-400 Data contains records from two different database systems: Computer Linked Application Information Management System (C4) and Electronic Information System (ELIS). USCIS began transitioning from C4 to ELIS on April 13, 2016.[175] However, due to issues with the rollout of ELIS, USCIS reverted back to C4 in August 2016; the transition to ELIS was completed in late October 2017.[176] A notable inconsistency in coding between C4 and ELIS related to how the applicant's race and ethnicity were captured. On the N-400 form, applicants were given the option to indicate their ethnicity as either "Hispanic or Latino" or "Not Hispanic or Latino."[177] Additionally, applicants were allowed to choose between five racial categories: "White," "Asian," "Black or African American," "American Indian or

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174. *ZIP Code to ZCTA Crosswalk*, UDS MAPPER, https://udsmapper.org/zip-code-to-zcta-crosswalk [https://perma.cc/K59U-WB54].

175. U.S. DEP'T HOMELAND SEC., OFF. INSPECTOR GEN., OIG-18-23, USCIS HAS BEEN UNSUCCESSFUL IN AUTOMATING NATURALIZATION BENEFITS DELIVERY 24 (Nov. 30, 2017), https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-23-Nov17.pdf [https://perma.cc/N457-P9HT].

176. U.S. DIGIT. SERV., REPORT TO CONGRESS: FALL 2017, at 14 (2017), https://www.usds.gov/resources/USDS-Fall-2017-Report-to-Congress.pdf [https://perma.cc/B5MR-UPXU].

177. U.S. CITIZENSHIP & IMMIGR. SERVS., *supra* note 173, at 7.

Alaska Native," and "Native Hawaiian or Other Pacific Is-
lander."[178] In ELIS, responses to these two questions were cap-
tured by two separate variables, *Race* and *Ethnicity*. In C4, how-
ever, responses to the two questions were combined into a single
Race variable.

   We addressed this discrepant coding under ELIS and C4 in
the following way: if the *Race* variable under C4 equaled "His-
panic or Latino," we set *Race* to missing and *Ethnicity* to "His-
panic"; if the *Race* variable contained one of the racial categories
listed above, we set *Ethnicity* to missing and retained the cate-
gory specified in the *Race* variable. We then imputed missing
values for *Race* and *Ethnicity* by using the modal response asso-
ciated with the applicant's country of origin. *Race* and *Ethnicity*
were imputed in 5.62 percent and 89.33 percent of applications
in our final analytic sample, respectively.

   We checked that our imputation method achieved a high
level of accuracy by conducting the following checks. First, we
analyzed the imputation error rate in *Race* using applications
that were not missing on that variable; we conducted the same
analysis for *Ethnicity*. Applying these error rates to the final an-
alytic sample resulted in an estimate of 0.6 percent and 0.9 per-
cent error rate for *Race* and *Ethnicity*, respectively. Second, we
generated multiply imputed datasets (M=5) using intercept-only
models of *Race* and *Ethnicity* that we estimated separately for
each country of origin.[179] Model estimates using those datasets
produced substantially the same results as what we present in
Table 2 and Tables S3–S5.

   Using these *Race* and *Ethnicity* variables, we generated a
Race/Ethnicity variable with the following categories: Non-His-
panic White, Non-Hispanic Asian Pacific Islander, Non-Hispanic
Black, Non-Hispanic Other, and Hispanic.

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   178. *Id.*
   179. We used country-specific intercept-only imputation models because pre-
dicting *Race* and *Ethnicity* using the full set of variables from the main analysis
is computationally infeasible given our sample size.

APPENDIX FIGURES AND TABLES

Figure 1. Observed Times to Approval Among Field Offices,
Fiscal Years 2015–2018
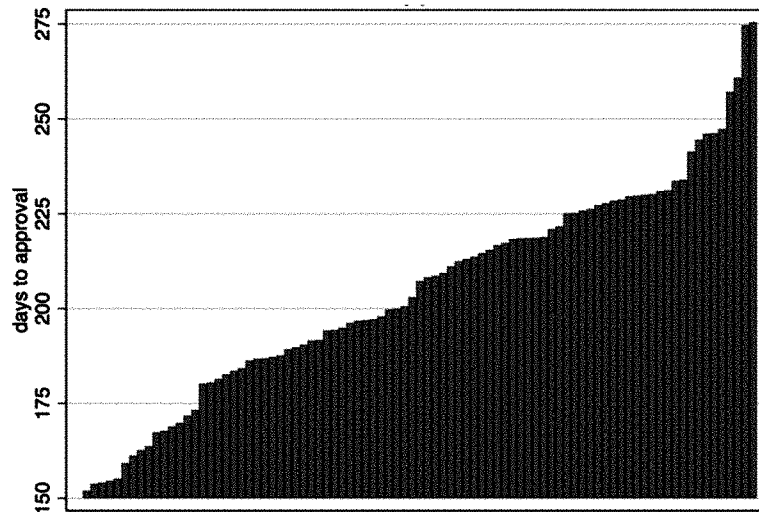
Note: each bar represents an individual field office. Observed adjudication times are calculated by averaging the difference between the receipt date and the status date for all adjudicated applications within a given field office.

Figure 2. Observed Times to Denial Among Field Offices,
Fiscal Years 2015–2018
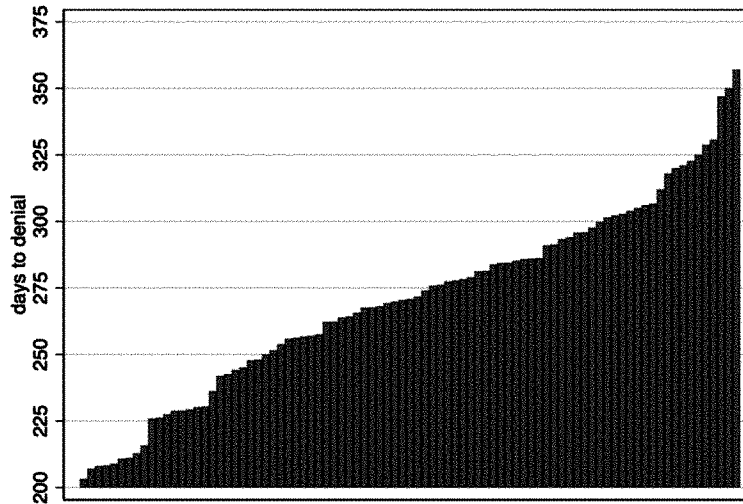
Note: each bar represents an individual field office. Observed adjudication times are calculated by averaging the difference between the receipt date and the status date for all adjudicated applications within a given field office.

Table 1. National Median Processing Time for N-400
Applications, FY 2012–2022

Fiscal Year	Months
2012	4.6
2013	4.8
2014	5.3
2015	5.8
2016	5.6
2017	7.9
2018	9.7
2019	10.0
2020	9.1
2021	11.5
2022	12.2

Note: Data for fiscal years 2012–2016 come from Rand, *supra* note 13; data for fiscal years 2017–2022 come from USCIS, *Historical National Median Processing Time (in Months) for All USICS Offices for Select Forms by Fiscal Year*, https://egov.uscis.gov/processing-times/historic-pt (last visited Jan. 17, 2022) [https://perma.cc/QQC7-NY66]. Fiscal year 2022 uses data from October 1, 2021, to October 31, 2021. Both sets of data presumably relate to both military and non-military applications.

Table 2. Description of Measures Used in the Analyses

Variable	Description	Coding
Outcomes		
Approval Rate	Percentage of applications approved among adjudicated applications by a given field office.	percentage
Average Time to Adjudication	Average time to adjudication for a given field office during the study period.	days
Approved	Whether the N-400 application was approved.	0 = denied; 1 = approved
Time to Adjudication	N-400 adjudication time calculated using Receipt Date and Status Date found in the N-400 Data.	days
Applicant Characteristics		
Race/Ethnicity	Applicant's reported race and ethnicity on the N-400 form.	1 = non-Hispanic White; 2 = non-Hispanic Asian Pacific Islander; 3 = non-Hispanic Black; 4 = non-Hispanic Other; 5 = Hispanic
Female	Applicant's reported gender on the N-400 form.	0 = male; 1 = female
Muslim-Majority Country	Applicant's country of origin is a Muslim-majority country.	0 = no; 1 = yes
Concentrated Disadvantage Index	Factor score capturing the socioeconomic disadvantage of the applicant's ZCTA as reported in the American Community Survey. Component measures include: (a)	index score

	percent individuals below the poverty line, (b) percent households receiving public assistance, (c) percent female-headed households, (d) percent individuals unemployed, (e) percent individuals less than age eighteen, (f) percent Black, (g) percent individuals with less than high school education, and (h) percent owner-occupied homes.	
Eligibility	Basis upon which the applicant is eligible for naturalization, as reported on the N-400 form.	1 = lawful permanent resident for five years or more; 2 = married to U.S. citizen and U.S. resident for three years or more; 3 = other
Marital Status	Applicant's reported marital status on the N-400 form.	1 = single; 2 = divorced; 3 = married; 4 = widowed; 5 = other
Age	Applicant's age at the time of submission of N-400 form.	years
Has Children	Applicant has one or more children, as reported on the N-400 form.	0 = no; 1 = yes
English-Speaking Country	English is an official language or spoken by the majority of the population in the applicant's country of origin.	0 = no; 1 = yes
Year	Fiscal year in which the application was adjudicated.	year

Field Office Characteris-
tics

White Majority	More than 50 percent of the county population is White.	0 = no; 1 = yes
Republican Plurality	Plurality of county voters voted for Republican candidate in 2016 presidential election.	0 = no; 1 = yes
Unemployment Rate	Percent unemployed in county's labor force.	percent
Applications Received	Total number of applications received by the USCIS field office.	count
Large Metropolitan Area	County is a "large central metro" area as designated by the National Center for Health Statistics.	0 = no; 1 = yes
Detainer Agreement	County has a 287(g) detainer agreement with ICE.	0 = no; 1 = yes

Table 3. Data Sources for Variables Measuring Field-Office Characteristics

Variable	Data/Coding Source
White Majority	U.S. Census Bureau, https://data.census.gov/cedsci/advanced (select "County" and then "All Counties within United States and Puerto Rico" for Geography; enter Table ID B02001).
Republican Plurality	CQ Press Voting and Elections Collection, http://library.cqpress.com.libproxy1.usc.edu/elections/download-data.php?filetype=&office=1&areatype=2&year=2016&format=3&emailto=&emailfrom= (select "General" for Election Type, "President" for Office, "County Detail" for Detail, "All Parties" for Party, and "2016" for Years).
Unemployment Rate	U.S. Census Bureau, https://data.census.gov/cedsci/advanced (select "County" and then "All Counties within United States and Puerto Rico" for Geography; enter Table ID B23025).
Applications Received	N-400 Data.
Large Metropolitan Area	National Center for Health Statistics, NCHS Urban-Rural Classification Scheme for Counties (2013), https://www.cdc.gov/nchs/data_access/urban_rural.htm [https://perma.cc/N7E6-P6L2].
Detainer Agreement	Juan Pedroza, Information on the 287(g) Program Obtained from ICE through FOIA (June 25, 2019).

Table 4. Observed Approval Rates Among Field Offices,
Fiscal Years 2015–2018

Field Office	Approval Rate	Number of Applications Adjudicated
California - Imperial Field Office	86.3%	8,466
Wyoming - Casper Field Support Office	87.1%	456
Colorado - Denver Field Office	87.4%	31,114
Alaska - Anchorage Field Office	87.8%	3,586
New York - New York Field Office	88.0%	89,553
New York - Buffalo Field Office	88.0%	13,439
Florida - Orlando Field Office	88.2%	37,841
New York - Syracuse Field Support Office	88.5%	7,769
Florida - Ft. Myers Field Office	88.5%	12,932
Rhode Island - Providence Field Office	88.6%	11,060
Florida - West Palm Beach Field Office	88.6%	31,701
New York - Queens Field Office	88.6%	95,865
New York - Brooklyn Field Office	88.8%	70,501
Florida - Miami Field Office	89.0%	40,498
Massachusetts - Lawrence Field Office	89.1%	28,833
Florida - Hialeah Field Office	89.2%	51,118
Florida - Oakland Park Field Office	89.5%	39,208
Arizona - Phoenix Field Office	89.7%	32,706
California - Santa Ana Field Office	89.8%	57,609
Nebraska - Omaha Field Office	89.9%	12,855
Texas - Harlingen Field Office	90.0%	12,121
California - Los Angeles County Field Office	90.2%	64,565
Texas - Dallas Field Office	90.3%	66,830
California - San Bernardino Field Office	90.5%	64,845
Arizona - Tucson Field Office	90.6%	11,265
Kentucky - Louisville Field Office	90.6%	12,284
California - Fresno Field Office	90.7%	35,440
Louisiana - New Orleans Field Office	90.7%	11,295
Florida - Tampa Field Office	90.8%	37,228
Nevada - Las Vegas Field Office	90.8%	26,324
Wisconsin - Milwaukee Field Office	90.9%	12,436
Nevada - Reno Field Office	90.9%	4,485
Iowa - Des Moines Field Office	91.0%	10,289
Michigan - Detroit Field Office	91.1%	49,302

Oklahoma - Oklahoma City Field Office	91.3%	14,899
Pennsylvania - Philadelphia Field Office	91.3%	59,125
New York - Long Island Field Office	91.5%	50,657
Texas - El Paso Field Office	91.8%	17,996
Florida - Kendall Field Office	92.0%	46,264
South Carolina - Greer Field Office	92.1%	5,804
Florida - Jacksonville Field Office	92.3%	13,631
New Jersey - Newark Field Office	92.4%	118,570
Connecticut - Hartford Field Office	92.4%	33,930
Indiana - Indianapolis Field Office	92.6%	17,833
Missouri - St. Louis Field Office	92.6%	9,715
South Carolina - Charleston Field Office	92.7%	8,676
New York - Albany Field Office	92.7%	12,086
Virginia - Norfolk Field Office	92.8%	15,689
Virginia - Washington Field Office	92.8%	60,739
New Jersey - Mount Laurel Field Office	92.9%	24,812
California - San Diego Field Office	93.0%	54,825
Ohio - Cleveland Field Office	93.2%	14,571
Hawaii - Honolulu Field Office	93.2%	12,567
Minnesota - Minneapolis-St. Paul Field Office	93.2%	33,791
Tennessee - Nashville Field Office	93.3%	14,394
Ohio - Columbus Field Office	93.3%	16,378
Massachusetts - Boston Field Office	93.3%	63,961
Kansas - Wichita Field Office	93.4%	4,234
California - Los Angeles Field Office	93.5%	67,997
North Carolina - Charlotte Field Office	93.5%	24,639
Utah - Salt Lake City Field Office	93.5%	14,210
Washington - Seattle Field Office	93.5%	48,639
Illinois - Chicago Field Office	93.6%	90,405
Texas - Houston Field Office	93.7%	77,784
Alabama - Montgomery Field Office	93.7%	10,507
Maryland - Baltimore Field Office	93.7%	64,419
Tennessee - Memphis Field Office	93.8%	6,405
Ohio - Cincinnati Field Office	93.8%	9,775
California - Sacramento Field Office	93.9%	43,672
Texas - San Antonio Field Office	93.9%	42,390
California - San Jose Field Office	93.9%	50,285
Washington - Yakima Field Office	94.0%	6,382
New Mexico - Albuquerque Field Office	94.5%	6,911

California - San Fernando Valley Field Office	94.6%	52,562
New Hampshire - Manchester Field Office	94.7%	6,127
Georgia - Atlanta Field Office	94.8%	61,144
Washington - Spokane Field Office	94.9%	3,340
Oregon - Portland Field Office	94.9%	28,567
Arkansas - Fort Smith Field Office	95.0%	4,624
Missouri - Kansas City Field Office	95.0%	15,214
Idaho - Boise Field Office	95.0%	5,840
Pennsylvania - Pittsburgh Field Office	95.2%	9,350
North Carolina - Raleigh-Durham Field Office	95.6%	21,872
California - San Francisco Field Office	95.6%	85,774
Vermont - St. Albans Field Office	96.2%	2,642
Montana - Helena Field Office	96.4%	1,111
Maine - Portland Field Office	97.3%	3,548

Table 5. Observed Approval Rates by Fiscal Year

Field Office	Approval Rate (Minimum/Maximum)	B - A
2015		
A. New York - Buffalo Field Office	86.9	
B. Maine - Portland Field Office	98.3	11.4
2016		
A. Wyoming - Casper Field Support Office	83.9	
B. Maine - Portland Field Office	97.0	13.1
2017		
A. California - Imperial Field Office	85.4	
B. Montana - Helena Field Office	97.1	11.7
2018		
A. Rhode Island - Providence Field Office	81.4	
B. Maine - Portland Field Office	97.7	16.3

Note: Values are shown only for the field offices with the lowest (minimum) and highest (maximum) approval rates within each fiscal year.

Table 6. Predicted Approval Rates Among Field Offices,
Fiscal Years 2015–2018

Field Office	Predicted Approval Rate	Standard Error
Wyoming - Casper Field Support Office	0.793	0.022
Alaska - Anchorage Field Office	0.844	0.007
Colorado - Denver Field Office	0.860	0.002
Florida - Orlando Field Office	0.880	0.002
Florida - Ft. Myers Field Office	0.881	0.003
Massachusetts - Lawrence Field Office	0.887	0.002
New York - Buffalo Field Office	0.890	0.003
Florida - West Palm Beach Field Office	0.891	0.002
Texas - Dallas Field Office	0.892	0.001
California - Imperial Field Office	0.892	0.003
Arizona - Phoenix Field Office	0.892	0.002
New York - Syracuse Field Support Office	0.893	0.003
Nevada - Reno Field Office	0.894	0.005
Nebraska - Omaha Field Office	0.896	0.003
Wisconsin - Milwaukee Field Office	0.896	0.003
California - Santa Ana Field Office	0.898	0.001
Iowa - Des Moines Field Office	0.899	0.003
Kentucky - Louisville Field Office	0.900	0.003
Oklahoma - Oklahoma City Field Office	0.901	0.003
South Carolina - Greer Field Office	0.901	0.004
Rhode Island - Providence Field Office	0.903	0.003
Florida - Tampa Field Office	0.904	0.002
Nevada - Las Vegas Field Office	0.905	0.002
Florida - Oakland Park Field Office	0.905	0.001
Louisiana - New Orleans Field Office	0.905	0.003
New York - Brooklyn Field Office	0.905	0.001
Hawaii - Honolulu Field Office	0.907	0.003
New York - Queens Field Office	0.907	0.001
Missouri - St. Louis Field Office	0.908	0.003
New York - New York Field Office	0.908	0.001
Florida - Hialeah Field Office	0.909	0.001
New York - Long Island Field Office	0.910	0.001
Pennsylvania - Philadelphia Field Office	0.912	0.001
Florida - Jacksonville Field Office	0.913	0.002

California - San Bernardino Field Office	0.913	0.001
Virginia - Washington Field Office	0.914	0.001
Michigan - Detroit Field Office	0.914	0.001
South Carolina - Charleston Field Office	0.915	0.003
Florida - Miami Field Office	0.915	0.001
New York - Albany Field Office	0.915	0.003
Arizona - Tucson Field Office	0.916	0.002
Indiana - Indianapolis Field Office	0.918	0.002
Virginia - Norfolk Field Office	0.918	0.002
California - Los Angeles County Field Office	0.919	0.001
Connecticut - Hartford Field Office	0.920	0.001
Washington - Seattle Field Office	0.920	0.001
New Jersey - Mount Laurel Field Office	0.920	0.002
California - Fresno Field Office	0.922	0.001
Illinois - Chicago Field Office	0.923	0.001
New Jersey - Newark Field Office	0.923	0.001
Ohio - Cleveland Field Office	0.923	0.002
Tennessee - Nashville Field Office	0.923	0.002
Alabama - Montgomery Field Office	0.924	0.003
Texas - Harlingen Field Office	0.925	0.002
Utah - Salt Lake City Field Office	0.926	0.002
Florida - Kendall Field Office	0.927	0.001
North Carolina - Charlotte Field Office	0.928	0.002
California - San Jose Field Office	0.928	0.001
Maryland - Baltimore Field Office	0.929	0.001
Texas - El Paso Field Office	0.929	0.002
Ohio - Cincinnati Field Office	0.929	0.003
Texas - Houston Field Office	0.932	0.001
New Hampshire - Manchester Field Office	0.932	0.004
California - San Diego Field Office	0.932	0.001
Minnesota - Minneapolis-St. Paul Field Office	0.932	0.001
Texas - San Antonio Field Office	0.933	0.001
Tennessee - Memphis Field Office	0.934	0.003
Kansas - Wichita Field Office	0.934	0.004
Massachusetts - Boston Field Office	0.935	0.001
California - Sacramento Field Office	0.936	0.001
Washington - Spokane Field Office	0.937	0.005
Pennsylvania - Pittsburgh Field Office	0.939	0.003
Ohio - Columbus Field Office	0.939	0.002

Idaho - Boise Field Office	0.940	0.003
Oregon - Portland Field Office	0.941	0.001
Montana - Helena Field Office	0.942	0.009
New Mexico - Albuquerque Field Office	0.943	0.003
California - Los Angeles Field Office	0.943	0.001
Arkansas - Fort Smith Field Office	0.943	0.004
Missouri - Kansas City Field Office	0.943	0.002
Georgia - Atlanta Field Office	0.944	0.001
Washington - Yakima Field Office	0.944	0.003
California - San Fernando Valley Field Office	0.946	0.001
California - San Francisco Field Office	0.949	0.001
North Carolina - Raleigh-Durham Field Office	0.949	0.002
Vermont - St. Albans Field Office	0.958	0.004
Maine - Portland Field Office	0.970	0.003

Table 7. Observed Time to Adjudication Among Field Offices, Fiscal Years 2015–2018

Field Office	Days to Adjudica-tion	Number of Applications Adjudicated
Washington - Yakima Field Office	155.557	6,382
Maine - Portland Field Office	156.176	3,548
Montana - Helena Field Office	156.558	1,111
New Hampshire - Manchester Field Office	157.126	6,127
Ohio - Cleveland Field Office	158.809	14,571
Ohio - Cincinnati Field Office	164.431	9,775
North Carolina - Raleigh-Durham Field Office	165.642	21,872
Rhode Island - Providence Field Office	166.974	11,060
Washington - Spokane Field Office	167.894	3,340
Vermont - St. Albans Field Office	168.906	2,642
Idaho - Boise Field Office	169.834	5,840
Ohio - Columbus Field Office	171.217	16,378
Indiana - Indianapolis Field Office	176.068	17,833
New York - Buffalo Field Office	176.634	13,439
Missouri - Kansas City Field Office	184.186	15,214
Kentucky - Louisville Field Office	184.529	12,284
New York - Syracuse Field Support Office	185.130	7,769
South Carolina - Charleston Field Office	186.773	8,676
New Jersey - Mount Laurel Field Office	188.934	24,812
South Carolina - Greer Field Office	190.507	5,804
Arizona - Tucson Field Office	190.872	11,265
Hawaii - Honolulu Field Office	191.566	12,567
California - San Bernardino Field Office	191.698	64,845
Nevada - Reno Field Office	191.746	4,485
Massachusetts - Boston Field Office	191.770	63,961
North Carolina - Charlotte Field Office	192.603	24,639
New Mexico - Albuquerque Field Office	192.987	6,911
Utah - Salt Lake City Field Office	193.834	14,210
Massachusetts - Lawrence Field Office	195.758	28,833
California - Sacramento Field Office	198.516	43,672
Michigan - Detroit Field Office	200.005	49,302
Nebraska - Omaha Field Office	200.627	12,855
New Jersey - Newark Field Office	200.891	118,570
Florida - Hialeah Field Office	201.041	51,118

California - San Jose Field Office	201.042	50,285
California - Los Angeles Field Office	201.079	67,997
Wisconsin - Milwaukee Field Office	201.130	12,436
Kansas - Wichita Field Office	202.680	4,234
Pennsylvania - Pittsburgh Field Office	202.742	9,350
Florida - Kendall Field Office	203.255	46,264
Arkansas - Fort Smith Field Office	205.692	4,624
Alaska - Anchorage Field Office	208.021	3,586
Florida - West Palm Beach Field Office	208.636	31,701
Oregon - Portland Field Office	210.402	28,567
California - Imperial Field Office	211.880	8,466
California - Fresno Field Office	212.854	35,440
Illinois - Chicago Field Office	214.866	90,405
California - San Fernando Valley Field Office	215.057	52,562
Connecticut - Hartford Field Office	219.195	33,930
California - San Francisco Field Office	219.784	85,774
Florida - Tampa Field Office	219.790	37,228
Pennsylvania - Philadelphia Field Office	221.394	59,125
Georgia - Atlanta Field Office	221.431	61,144
Nevada - Las Vegas Field Office	221.457	26,324
Louisiana - New Orleans Field Office	222.494	11,295
California - Los Angeles County Field Office	223.740	64,565
Virginia - Norfolk Field Office	223.828	15,689
California - San Diego Field Office	224.173	54,825
New York - Brooklyn Field Office	225.414	70,501
Florida - Ft. Myers Field Office	225.807	12,932
Florida - Oakland Park Field Office	226.786	39,208
Florida - Miami Field Office	227.033	40,498
Texas - San Antonio Field Office	227.484	42,390
Arizona - Phoenix Field Office	231.374	32,706
Texas - El Paso Field Office	231.498	17,996
Colorado - Denver Field Office	232.334	31,114
Texas - Harlingen Field Office	232.431	12,121
Virginia - Washington Field Office	233.028	60,739
Maryland - Baltimore Field Office	233.806	64,419
Washington - Seattle Field Office	234.099	48,639
New York - New York Field Office	235.077	89,553
Tennessee - Memphis Field Office	235.806	6,405
Tennessee - Nashville Field Office	235.853	14,394

Florida - Jacksonville Field Office	235.949	13,631
New York - Albany Field Office	237.444	12,086
California - Santa Ana Field Office	237.832	57,609
Florida - Orlando Field Office	238.089	37,841
New York - Queens Field Office	241.933	95,865
Texas - Dallas Field Office	248.797	66,830
Oklahoma - Oklahoma City Field Office	249.123	14,899
Missouri - St. Louis Field Office	252.502	9,715
Alabama - Montgomery Field Office	253.104	10,507
New York - Long Island Field Office	253.933	50,657
Minnesota - Minneapolis-St. Paul Field Office	263.386	33,791
Texas - Houston Field Office	264.790	77,784
Wyoming - Casper Field Support Office	273.134	456
Iowa - Des Moines Field Office	278.206	10,289

Table 8. Observed Time to Adjudication by Fiscal Year

Field Office	Days to Adjudication (Minimum/Maximum)	B - A
2015		
A. Washington - Yakima Field Office	126.5	148.3
B. Oklahoma - Oklahoma City Field Office	274.8	
2016		
A. North Carolina - Raleigh-Durham Field Office	129.5	130.0
B. Wyoming - Casper Field Support Office	259.5	
2017		
A. Maine - Portland Field Office	165.4	154.9
B. Tennessee - Memphis Field Office	320.3	
2018		
A. New Hampshire - Manchester Field Office	169.6	293.2
B. Texas - Dallas Field Office	462.8	

Note: Values are shown only for the field offices with the lowest (minimum) and highest (maximum) approval rates within each fiscal year.

Table 9. Predicted Time to Adjudication Among Field Offices,
Fiscal Years 2015–2018

Field Office	Predicted Days to Adjudication	Standard Error
Washington - Yakima Field Office	135.854	0.619
Ohio - Cleveland Field Office	140.970	0.426
New Hampshire - Manchester Field Office	143.608	0.668
Montana - Helena Field Office	144.387	1.577
Maine - Portland Field Office	144.695	0.885
Ohio - Cincinnati Field Office	144.703	0.533
North Carolina - Raleigh-Durham Field Office	151.043	0.372
Idaho - Boise Field Office	151.129	0.720
Ohio - Columbus Field Office	152.634	0.435
Rhode Island - Providence Field Office	154.331	0.535
Vermont - St. Albans Field Office	155.886	1.104
Washington - Spokane Field Office	155.929	0.982
Indiana - Indianapolis Field Office	157.738	0.430
New York - Buffalo Field Office	161.052	0.507
Kentucky - Louisville Field Office	163.531	0.537
South Carolina - Charleston Field Office	165.383	0.646
New Jersey - Mount Laurel Field Office	167.776	0.388
Missouri - Kansas City Field Office	167.941	0.496
New York - Syracuse Field Support Office	168.796	0.698
Arizona - Tucson Field Office	170.241	0.584
New Mexico - Albuquerque Field Office	173.590	0.760
South Carolina - Greer Field Office	173.995	0.831
California - San Bernardino Field Office	174.443	0.250
Nevada - Reno Field Office	175.505	0.954
Utah - Salt Lake City Field Office	176.578	0.540
Florida - Kendall Field Office	176.659	0.303
North Carolina - Charlotte Field Office	177.536	0.412
Michigan - Detroit Field Office	177.765	0.296
Massachusetts - Boston Field Office	179.011	0.259
Florida - Hialeah Field Office	179.360	0.293
Hawaii - Honolulu Field Office	180.073	0.588
Nebraska - Omaha Field Office	181.005	0.582
California - Sacramento Field Office	181.056	0.316
Massachusetts - Lawrence Field Office	181.135	0.388

Wisconsin - Milwaukee Field Office	181.673	0.593
Arkansas - Fort Smith Field Office	186.584	0.999
Kansas - Wichita Field Office	187.426	1.049
California - San Jose Field Office	187.428	0.306
New Jersey - Newark Field Office	187.673	0.199
Florida - West Palm Beach Field Office	188.520	0.387
Alaska - Anchorage Field Office	189.063	1.150
California - Los Angeles Field Office	190.057	0.267
California - Imperial Field Office	190.759	0.757
California - Fresno Field Office	191.594	0.374
Pennsylvania - Pittsburgh Field Office	192.272	0.725
Louisiana - New Orleans Field Office	194.853	0.667
Florida - Tampa Field Office	196.798	0.372
Pennsylvania - Philadelphia Field Office	200.565	0.301
Oregon - Portland Field Office	201.320	0.434
Illinois - Chicago Field Office	201.455	0.245
Georgia - Atlanta Field Office	202.891	0.299
California - San Fernando Valley Field Office	204.866	0.326
Nevada - Las Vegas Field Office	205.217	0.461
Florida - Oakland Park Field Office	205.844	0.381
Florida - Miami Field Office	206.367	0.377
Florida - Ft. Myers Field Office	206.943	0.663
Connecticut - Hartford Field Office	207.109	0.410
Texas - El Paso Field Office	207.805	0.566
Texas - Harlingen Field Office	209.390	0.696
Texas - San Antonio Field Office	211.245	0.374
California - San Francisco Field Office	212.100	0.266
California - Los Angeles County Field Office	212.576	0.307
California - San Diego Field Office	213.087	0.332
New York - Brooklyn Field Office	214.701	0.300
Virginia - Norfolk Field Office	214.857	0.625
New York - Albany Field Office	215.855	0.715
Colorado - Denver Field Office	218.168	0.451
Tennessee - Nashville Field Office	219.334	0.666
Florida - Jacksonville Field Office	220.681	0.688
Virginia - Washington Field Office	221.467	0.330
Florida - Orlando Field Office	221.892	0.416
Arizona - Phoenix Field Office	222.335	0.448
New York - New York Field Office	222.837	0.278

Tennessee - Memphis Field Office	223.310	1.016
California - Santa Ana Field Office	226.878	0.345
Maryland - Baltimore Field Office	226.943	0.329
New York - Queens Field Office	230.690	0.276
Oklahoma - Oklahoma City Field Office	230.693	0.688
Washington - Seattle Field Office	230.826	0.384
Missouri - St. Louis Field Office	234.860	0.868
Texas - Dallas Field Office	237.525	0.336
Alabama - Montgomery Field Office	237.639	0.845
New York - Long Island Field Office	240.201	0.390
Minnesota - Minneapolis-St. Paul Field Office	242.987	0.485
Wyoming - Casper Field Support Office	255.800	4.360
Iowa - Des Moines Field Office	265.774	0.955
Texas - Houston Field Office	266.489	0.349