

EXHIBIT A

~~FILED UNDER SEAL~~

REPORT

in the matter of

ABDIQAFAR WAGAFE, *et al.*

v.

DONALD TRUMP, President of the United States, *et al.*

By

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Director

BLDS, LLC

Philadelphia, PA

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EXECUTIVE SUMMARY

At Defendants' request, I reviewed seven years of data (FY 2013 – FY 2019) concerning the adjudication of applications for naturalization (N-400) and adjustment of status (I-485), including those referred to the Controlled Application Review and Resolution Program ("CARRP") of the United States Citizenship and Immigration Service ("USCIS"). This report details the methodology used to examine the data in the context of Plaintiffs' allegations, discusses the outcomes of that analysis, and presents my conclusions, including the principal ones summarized below:

First, I examined all adjustment of status and naturalization application filed between FY 2013 and FY 2019, a total of 10,605,971 applications, and found that the volume of applications processed under CARRP during the examined period is very small, only 0.14% or about one of every 700 applications.

Second, the statistical evidence contradicts Plaintiffs' apparent premise that CARRP is intended and designed to deny immigration benefits to Muslim applicants. Indeed, there is no statistically valid basis on which to conclude there is anti-Muslim bias in CARRP. Only a very small percentage of applicants from Muslim majority countries had applications processed under CARRP – 0.70% or only 9,209 of 1,308,861 applications.

Furthermore, there is no statistically valid basis on which to conclude that there is an anti-Muslim bias in CARRP referrals. While I-485 and N-400 applications for individuals from Muslim countries are more likely than those from non-Muslim countries to be referred to CARRP, the data also shows that the vast majority (over 90 percent) of CARRP referrals are based, at least in part, on Third Agency information. I estimate that USCIS is the sole source of the information for CARRP referrals approximately 5% of the time and the first source of the information for CARRP referrals only approximately 12% of the time. More significantly, the

pattern does not change over time and USCIS was more likely to be the first or only source of information if the applicant was born in non-Muslims country than if they were born in a Muslim country. Therefore, although applications by individuals from Muslim countries are more likely to be referred to CARRP, the statistical evidence contradicts the allegation that the reason that individuals from Muslim countries are more likely to be referred to CARRP is based on USCIS developing information for referring them to CARRP.

Once an application is referred to CARRP, there is no relationship between being from a Muslim majority country and how long it will take to process the individual's application or whether it will be approved or denied. To the contrary, comparisons of outcomes by Muslim status overall or by changes over time demonstrates that the data provides no support for a theory that applicants from Muslim majority countries were targeted because they were Muslim or from Muslim majority countries. Also, most applications adjudicated under CARRP were equally likely to be approved overall, for those for applicants from Muslim majority countries, and for applicants from non-Muslim countries, contradicting the notion that CARRP operates as a program intended to deny immigration benefits to otherwise eligible applicants. For CARRP cases, there is no statistical evidence that being from a Muslim country leads to an application taking longer to process or that it is more likely to be denied.

Third, although the data establishes that the percentage of applications referred for CARRP processing markedly increased for a time (FY 2015-2017), the statistical analysis cannot tie a specific reason to the increase in referrals or the pattern of change over time. Those variations may be linked to any number of unexamined factors not addressed here, including trends in applications received, changes in information available for assessing the possibility that

an applicant is a national security concern, changes in global patterns of terrorist activity, and reactions and responses to security incidents in the United States and worldwide.

Finally, there is no statistically valid basis on which to conclude that USCIS has employed “extreme vetting” that adversely impacted applicants for adjustment of status or naturalization. Similarly, there is no statistically valid basis on which to conclude that application referrals to CARRP irrespective of their source have markedly increased since the issuance of the executive orders that are the subject of Plaintiffs’ allegations. Indeed, there is no statistical evidence that for applications processed through CARRP, the likelihood of approval, processing time to adjudication, or processing time to approval changed after the executive orders.

I. INTRODUCTION, ASSIGNMENT. AND OVERVIEW OF ANALYSIS

A. Background

I am a Director of BLDS, LLC, a specialty statistical and economic consulting firm. Prior to joining BLDS, I did similar work at the specialty consulting firms, LECG, LLC, the Center for Forensic Economic Studies, Inc., and National Economic Research Associates (NERA). Prior to that, I was a tenured faculty member and Chairman of the Department of Statistics at Temple University in Philadelphia. I received my Ph.D. in Statistics with a minor in Econometrics from the Wharton School of the University of Pennsylvania in 1970. I have authored four books on statistical methodology, three book chapters, four research monographs, and numerous papers, including articles on the role of statistics in the analysis of employment discrimination issues. Since receiving my Ph.D., I have specialized in the application of statistics to the analysis of whether company data provides valid statistical support for a claim of discrimination. In this capacity, I have been retained by numerous governmental and private organizations including the Third Circuit Task Force on Race and Gender, the Equal Employment Opportunity Commission (EEOC), the Civil Rights Division of the United States Justice Department, the Office of Federal Contract Compliance (OFCCP), the Federal Bureau of Investigation, the Central Intelligence Agency, the Federal Housing Financial Administration, and various states and municipalities as well as numerous Fortune Five 500 corporations and other for profit and non-profit corporations. My resume is attached as Appendix A.

B. Assignment

I have been asked by Counsel for Defendants to review the data supplied to the Plaintiffs concerning the adjudication of naturalization and adjustment of status applications, including those referred to the Controlled Application Review and Resolution Program (“CARRP”) of the

United States Citizenship and Immigration Service (“USCIS”). The outcomes studied are (i) the frequency of being referred to CARRP, (ii) the likelihood of an application being approved, denied, or adjudicated,¹ and (iii) the speed with which a decision is made. The tables supplied to us² reported the data separately for each fiscal year (FY) from 2013 to 2019 for each of two application types: Application for Naturalization (Form N-400 applications); and Application for Adjustment of Status (Form I-485) applications. The tables reported the following data across all applications (for a given fiscal year and form type) and then again by country of birth and country of citizenship: (i) the number and percent of applications that were referred to CARRP; (ii) the agency source of the information recorded as supporting the referral to CARRP (the USCIS, a Third Agency, or indeterminate); (iii) if adjudicated, the likelihood of being approved or denied, by CARRP status;³ (iv) by fiscal year of the decision and by CARRP status, (a) for adjudicated applications, the mean and median time from application receipt to adjudication, and (b) for non-adjudicated applications (i.e., those still pending a decision), the mean and median time from application receipt to the end of the fiscal year being reported, and (c) for applications active in the fiscal year (i.e., applications that had not been closed prior to the fiscal year), the mean and median time from application receipt until it was either adjudicated or

¹ A very small number of applications are closed without being approved or denied (e.g., some applications are recorded as being withdrawn or administratively closed).

² And to the Plaintiffs.

³ “CARRP status” refers to whether the application was processed pursuant to the CARRP policy at any point during the pending adjudication. A case is considered to be processed pursuant to the CARRP policy if there was an open Case Management Entity (CME) in the National Security tab of the Fraud Detection and National Security – Data System (FDNS-DS) at any point while the application was pending.

until the end of the fiscal year if it was still pending a decision. I was also supplied with the underlying data producing the tables.⁴

Plaintiffs allege that referral to CARRP for class members results in an increased chance of denial; and applications taking longer to be adjudicated, irrespective of ultimate outcome (denial or approval), each of which has a disparate impact⁵ on individuals from majority Muslim countries.⁶ Further, Plaintiffs allege that application of the CARRP policy, in both its original form and as purportedly expanded pursuant to Executive Orders 13769 and 13780 (referred to herein as the “Executive Orders” or “EOs”), which were issued by President Trump in 2017 and which Plaintiffs claim direct federal agencies to create and implement a policy of “extreme vetting,” have a discriminatory impact upon immigrants who are Muslim or whose country of birth or citizenship is a Muslim majority country.⁷ It is not clear what the Plaintiffs mean by “extreme vetting.” Plaintiffs have not specified whether they mean that the standard for referral to CARRP was expanded to capture more applicants presenting a potential national security concern at the expense of increasing the number of applicants who are not actually national security concerns being referred to CARRP, and/or making the CARRP review process more stringent in that it would increase the time for processing an application and/or result to some

⁴ Initially, based on the underlying data, I was able to replicate all the tables except for the table entitled “Adjudicated Plus Pending Processing Times.” I notified counsel and USCIS, and USCIS corrected that table, which aligns with the underlying data provided.

⁵ Disparate impact occurs when a process (e.g., a test) that is facially neutral as applied to all has an unintentional adverse impact on a particular class of applications. It is my understanding that a process which has a disparate impact is not discriminatory if the policy serves a valid purpose which cannot be accomplished by another process that both fulfills the purpose and has less disparate impact.

⁶ See Second Amended Complaint for Declaratory and Injunctive Relief, paragraphs 7 and 10.

⁷ *Id.*, paragraph 19.

extent in targeting Muslims. Nevertheless, Plaintiffs allege that discrimination against Muslims increased significantly as a result of the issuance of the Executive Orders.

This report presents the results of my statistical analyses and resulting opinions as to the extent to which the statistical data supports or is inconsistent with the Plaintiffs' allegations.

C. Overview of Analytical Framework, Analysis, and Determination of Muslim Status

1. Analytical Framework

The Plaintiffs allege that the CARRP policy, as applied to the class members in this litigation, has a disproportionate effect on Muslims, and that the disproportionate effect was exacerbated by an alleged “extreme vetting” process that Plaintiffs claim was put forward by the EOs. The framework for my analysis assumes we have applicants whose applications are processed routinely (i.e., outside CARRP) and applicants whose applications are processed in CARRP. Routine processing is applied to an application when there is no indication that the applicant poses a potential national security concern. When an applicant presents as a potential national security concern, the applicant’s application is processed pursuant to the CARRP policy. CARRP processing involves vetting the national security concern, which includes consultation with Third Agencies that may possess information about the applicant or concern and/or that may be investigating the applicant or concern; and adjudicating the application. However, CARRP processing does not necessarily always involve all of these steps. At any point during CARRP processing, the agency may determine that an applicant is not a national security concern or no longer presents such a concern. In such cases, USCIS will determine the case to be “non-national security” and will remove the case from CARRP processing. However, in the data set that was provided to me, an application that was referred to CARRP is classified as a “CARRP” application, and the adjudication (or continued pending) of the case is classified as a

CARRP outcome, irrespective of whether the case remains subject to the CARRP policy, was adjudicated in accord with the CARRP policy, or has been referred back into routine processing.⁸

Both routine processing and CARRP processing also involve a determination of whether an applicant is ineligible for the immigration benefit sought, based on national security grounds of inadmissibility or otherwise. Accordingly, adjudication in CARRP processing requires determining: (i) whether the national security concern⁹ posed by the applicant makes the applicant ineligible for the benefit, so the application should therefore be denied, or (ii) whether the concern fails to warrant denial, or (iii) whether there are confidentiality or intelligence risks if the application is denied for national security reasons.¹⁰ In the two latter scenarios, an applicant posing a national security concern and processed in CARRP may ultimately have his/her application approved, assuming that the applicant is otherwise eligible for the immigration benefit sought. Conversely, an applicant who is actually a national security concern, and may be potentially ineligible for the benefit sought, may not be identified as being a potential national security concern, and thus, may not be referred to CARRP. Such applicants may incorrectly be processed, and even have their applications approved, through routine processing. Furthermore, in such a case, regardless of whether the application is approved or denied through routine processing, a Third Agency that may be investigating the applicant would not generally be alerted that their person-of-interest was having an immigration benefit application adjudicated.

⁸ There is no indication in the data regarding whether an application referred to CARRP was referred back into routine processing.

⁹ USCIS defines a national security (“NS”) concern as follows: A NS concern exists when an individual or organization has been determined to have an articulable link to prior, current, or planned involvement in, or association with, an activity, individual, or organization described in sections 212(a)(3)(A), (B), or (F) or 237(a)(4)(A) or (B) of the Immigration and Nationality Act.

¹⁰ All denied applicants must be given the reason(s) for the denial of their application and have the right to appeal.

Irrespective of whether adjudication results in approval or denial of the benefit, adjudication might have adverse consequences on an ongoing Third Agency investigation since failure to alert the Third Agency that a person-of-interest is requesting an immigration benefit could have adverse consequences to their investigation.

From a statistical perspective, there are two possible “outcome errors” with regard to the decision of whether to refer an applicant to CARRP. By outcome error, I mean classifying the decision based solely on the outcome. Applications referred to CARRP that are ultimately approved would presumably have been approved if not referred to CARRP, but in less time. Hence, viewed only through the lens of the outcome, one outcome error is that an applicant who is referred to CARRP is approved, but since the application’s approval likely took longer because it was handled under the CARRP policy (rather than possibly disregarding a potential national security concern), it is viewed as an outcome error. The error here reflects the increase in the length of time to approval. By outcome error, I do not mean that the decision is incorrect, nor that the decision to refer the application for review under the CARRP policy was wrong, but only that the applicant could have been approved more quickly if not referred to CARRP. Moreover, since the purpose of the CARRP review is to determine whether someone is actually a national security concern, this outcome error should not be considered an error in the decision to refer the application to CARRP.

The desired outcome from a referral to CARRP is to determine if the applicant is a national security concern and then handle that application accordingly, not to automatically deny the application. If the applicant is actually a national security concern, the goal of CARRP is to coordinate with the agencies investigating the applicant to make the proper adjudication which, as discussed *supra*, could be to approve or deny the application.

The second type of “outcome error” is that an applicant who is actually a national security concern is not identified as such and the application is approved through routine processing, although it would have been denied if it had been sent to CARRP and undergone a more painstaking investigation for national security concerns.

Statistically speaking, the first outcome error is called a Type One error, in which we obtain what is technically called a “false positive” (e.g., someone referred to CARRP is approved); the second type of error is called a Type Two error, in which we obtain what is technically called a “false negative” (e.g., someone who would have been denied if they had been referred to CARRP is not referred to CARRP and is approved).¹¹ Again, it is important to note that using the statistical term “error” to refer to the outcomes in isolation does not imply any error in either the outcome or in the original decision to refer or not refer an application to CARRP. For example, consider a case that would be considered a false positive, because an application referred to CARRP is approved. An applicant is a partner in a business that is being criminally investigated for financially supporting terrorist activities. That applicant is referred to CARRP based on his association with the business. During the vetting process, USCIS consults with the investigating agency, and one of two outcomes results: (i) the investigating agency informs USCIS that the applicant is not a national security concern, USCIS declares the applicant non-national security, and adjudicates his case to an approval in routine processing (although the data will indicate this as a CARRP approval); or (ii) the investigating agency confirms that the individual poses a national security concern, but USCIS determines that the

¹¹ Note that while we can determine the false positives, we have no way of determining the false negatives, because we would need to put all the regular process approvals through CARRP in order to determine if they would have been denied as a result of CARRP processing.

remaining national security concern does not make the individual ineligible for the benefit he is seeking, and USCIS adjudicates his case to an approval in CARRP.¹²

The question in the hypothetical scenarios above is whether our applicant should not have been referred to CARRP because the decision resulted in a false positive (i.e., an approval). The answer is that the referral is appropriate, because the cost of delay to the applicant while he is processed in CARRP (the cost of such a false positive) does not outweigh the very serious cost of failing to refer an applicant who is a national security concern. In the case of failure of referral, the lack of vetting with the investigating agency could result in the approval of an individual who is ineligible for the benefit based on national security disqualifications, or it could result in an adjudication (whether to approval or denial) that negatively impacts an ongoing law enforcement investigation. This example illustrates that sufficient information that an applicant *may be* a national security concern (not necessarily that he/she *is* a national security concern) justifies a referral to CARRP, and a high rate of false positives (i.e., approved CARRP cases) is not an indication that the CARRP referral process, or the CARRP process in general, is not working properly. In fact, a high false positive rate would be an indication that identifying which applications are actually national security concerns cannot be achieved with great accuracy under routine vetting. If identifying applicants who are national security concerns is deemed to be very important, and the relative cost of failing to identify them is vastly greater than the cost of delaying applicants' adjudication, referring applicants to CARRP who are determined through the course of vetting to be a non-national security concern is an acceptable cost.

¹² In both cases, we assume that the applicant is not ineligible for the benefit for any non-national security reason.

To illustrate this logic, consider the common problem of credit card fraud. Banks spend millions of dollars to develop and implement fraud detection models to flag fraudulent credit card applications or fraudulent purchases from a stolen card or card number. Fraud is a relatively rare event and most transactions give no indication of possible fraud. No fraud detection model is good enough to precisely determine whether a charge or application is or is not actually fraudulent, but the models can recognize applications or purchases that are indicative of possible fraudulent conduct. When the bank identifies such potentially fraudulent events, it can follow-up (e.g., initially deny the charge or application and then call, text, or email the customer requesting verification that it was really their charge or application). Since the cost to the customer and the bank is so high if the charge is fraudulent and completed (identity theft for the customer and dollars lost for the bank) compared to the cost of delaying and investigating (inconvenience for the customer or cost of the investigation for the bank), banks are willing to flag potentially fraudulent¹³ transactions even though the probability of a given transaction being fraudulent is low.

Given the high cost of failing to refer an actual national security concern to CARRP (i.e., a false negative), one might ask why all applicants should not be more thoroughly vetted through CARRP. There are two reasons: one reason is that the CARRP process generally takes longer than routine processing. Based on the number of CARRP referrals of cases for which there is information that indicates they could potentially be a national security concern, the number of applications that may actually be a national security concern is a very small percentage of the overall number of applicants. Thus, processing all applicants in CARRP would result in an

¹³ The degree to which the indication of fraud must increase in order for a bank to decide that the transaction must be verified depends on the bank's assessment of the costs associated with making a Type One or Type Two error.

extreme number of applicants subject to increased processing times – a 700-fold expansion of the CARRP program with little expected gain in identifying applicants who are actual national security concerns. A second reason is that such an effort would be very costly and require a vastly larger amount of resources or result in extremely long processing times for all applications, rather than merely the one in 700 presently processed pursuant to the CARRP policy.

The statistical solution is to focus on the very small set of applications for which there is sufficient information to indicate that the applicant may pose a national security concern. What does that mean? It means that we would expect that, if the screening is based on an increased likelihood¹⁴ that the applicant is a national security concern, then the likelihood of denial for those in CARRP should be higher than the likelihood of denial for those not in CARRP, since applicants processed in CARRP may be ineligible for the immigration benefit sought based on a national security ground, or based on some other ground uncovered during CARRP's vetting and assessment procedures.¹⁵ This implies that we would expect the denial rates of those in CARRP to be higher than the denial rates of those not in CARRP, and we would expect the time to decision to be longer for applications processed under CARRP because of the more extensive vetting process where there are potential or known national security concerns.

The number and percent of cases referred to CARRP over time could increase or decrease significantly for several reasons. One reason would be if the percentage of applicants who are

¹⁴ That is, based on the initial information available, the probability of the applicant being a national security concern is sufficiently higher than the probability of a randomly selected applicant being a national security concern. However, that probability may be low, since the probability of a randomly selected applicant being a national security concern is well below 1 in 700.

¹⁵ Many denials in CARRP are for reasons other than national security.

actually potential national security concerns changes markedly. This could increase or decrease the referral rate to CARRP. A second reason would be if the criteria or information available to flag potential national security concerns are broadened to capture more potential national security risks, at a cost of referring proportionately more false positives. For example, this could occur if there was an increase in the United States Government's receipt of information from outside the United States which would identify applicants as potential national security concerns. In this case, we would expect the number of applications referred to CARRP to increase, as would the number of referrals that are determined not to be a national security concern (since almost no data source is a perfect indicator that an applicant is actually a national security concern). In our example, if the new data from sources outside the United States is equally reliable as the other sources in predicting that an applicant is actually a national security concern, the percent (not number) of cases that turn out to be false positives would not change. But if the data from the outside source is less reliable,¹⁶ then the false positive rate will increase.

Now, let us turn to the two specific claims in this matter: (i) that the CARRP policy results in Muslim applicants being more likely to be referred to CARRP, and thus Muslims disproportionately suffer delay in having their applications adjudicated, and (ii) that this disadvantage has been significantly aggravated by the purported extreme vetting discussed in the Trump Administration's 2017 Executive Orders, which Plaintiffs claim resulted in changes to CARRP and have increased the percent of Muslims among those referred to CARRP. The Plaintiffs conclude that the CARRP policy has an unjustified disparate impact on Muslims which has been exacerbated by the actions of the Trump administration. These claims taken together

¹⁶ That is, more applicants with a lower probability of being selected than they would experience under more stringent criteria (although still a higher probability of being selected than under a random selection process) are referred as a result of the new source of information.

imply that these factors should result in increasing the false positive rate in CARRP overall and among applications from applicants born in Muslims countries, and extend the time to approval of those approved after referral to CARRP. While the data can never fully support or refute this aspect of the Plaintiffs' claims, because we cannot ever know the true rate of national security concerns in the applicant population by Muslim status, we can nevertheless assess the extent to which the data supports or refutes Plaintiffs' allegations by comparing the outcomes of applicants processed in CARRP with the outcomes of those not processed in CARRP, and comparing the outcomes for Muslim applicants with those for non-Muslim applicants overall and over time.

2. Overview of Analysis of Outcomes by CARRP Status

I first focused on the CARRP policy in general independent of Muslim status. I examined the likelihood of being referred to CARRP overall and over time to see whether the rate of referral to CARRP changed over time. I then explored the source of the information supporting such referrals to ascertain whether there were changes in the source of the information underlying the referral, and whether any changes in the agency sources would correlate with any change in the percent of cases being referred to CARRP. Finally, I examined the extent to which being referred to CARRP impacted one's likelihood of being denied naturalization or adjustment of status, as well as the impact of CARRP referral on how long an applicant would wait for adjudication (i.e., how long the request was kept pending and not adjudicated) or approval. I examined the data over the whole time period and then focused on changes over time. I focused, to the extent possible, on changes in trends over time and especially those changes that occurred after the issuance of the Executive Orders.¹⁷

¹⁷ The tables supplied report the data by fiscal year. The Executive Orders were issued in January and March of 2017, during the second quarter of fiscal year 2017; FY 2017 covers October 2016 through September 2017. Hence, actions in fiscal years before the second quarter of FY 2017 clearly occurred prior to issuance of the Executive Orders and those in fiscal years after the second quarter of FY 2017 clearly occurred after issuance of the Executive Orders. However, I am unable to determine from the table data whether an outcome in FY 2017 actually occurred before or after the Executive Orders of concern. Of course, two quarters of fiscal year 2017 occurred after both Executive Orders, while one quarter of FY 2017 preceded the EOs. Nevertheless, the trend of data over time will be informative of the impact of the implementation of the "extreme vetting" which presumably was in effect for most of FY 2017 and all fiscal years thereafter, presuming that such vetting was in fact undertaken as Plaintiffs allege.

3. Determination of Muslim Status

While the analysis described above investigated the overall frequency of referral to CARRP, processing times for CARRP vs. non-CARRP, and adjudication outcomes for CARRP vs. non-CARRP, it did not address the Plaintiffs' concerns regarding the extent to which the outcomes differed by Muslim status. The data supplied does not identify the religion of any applicant. Plaintiffs allege or imply that all the named Plaintiffs (the representatives of all of the class Plaintiffs) identify as Muslim and/or are originally from Muslim-majority countries. Since the tables are tabulated separately by the applicants' country of origin and citizenship, I use this data to classify each applicants' Muslim status based on the applicant's country of birth and citizenship. I first classified each country into one of three mutually exclusive categories¹⁸ (majority Muslim, non-Muslim, or indeterminate)¹⁹, which allows me to compare results separately for applicants who were born in or are citizens of a majority Muslim country to applicants who were not born in or are not citizens of a majority Muslim country. The classification of majority Muslim countries was derived from three data sources that characterized the percent of a country's population that is Muslim: Pew-Templeton;²⁰ the CIA World Factbook;²¹ and Wikipedia.²² There was a discrepancy as to whether a country is Muslim or non-Muslim in only two cases.²³ I further classified the countries as "predominately or >="

¹⁸ Appendix B delineates the specific classification of each country as to Muslim status. I used these classifications in my analyses.

¹⁹ "Indeterminate" refers to the few cases where the country indicated in the data is not specified or is not a known country (i.e., "South America").

²⁰ <http://www.globalreligiousfutures.org/religions/muslims>

²¹ <https://www.cia.gov/library/publications/the-world-factbook/docs/profileguide.html>

²² https://en.wikipedia.org/wiki/Islam_by_country

²³ Bosnia-Herzegovina is classified as Muslim by the CIA World Factbook and by Wikipedia, but it is classified as non-Muslim by Pew. Eritrea is classified as non-Muslim by Pew. The CIA World Factbook declines to classify Eritrea, and Wikipedia refers to a study which would indicate that Eritrea is a majority Muslim country (see Brian J. Grim, Todd M. Johnson, Vegard

90% Muslim” (rather than majority Muslim) if the population was at least 90% Muslim, and I compared the outcomes of applicants from predominantly Muslim countries with those from non-Muslim countries. Finally, I classified the seven majority Muslim countries referred to in Executive Order 13769 as “EO 7 countries,” and compared the outcomes of applicants from those countries with the outcomes of applicants from non-Muslim countries.²⁴

4. Overview of Analysis of Outcomes by Muslim Status

I redid the above analysis, but focused on difference in outcomes by Muslim status. In the body of this report, I present the analysis defining Muslim status based on the country of birth of the applicant. In Appendix C, I present the tables corresponding to those presented in the body of the report, but base the definition of Muslim status on the citizenship of the applicant. My conclusions are the same, regardless of whether country of citizenship or country of birth is used to define Muslim status.

I then compared the differences in the rate of referral to CARRP, the denial, approval, and pending rates, and the time to adjudication (i.e., how long the application was kept pending and not adjudicated) and to approval by Muslim status, and analyzed whether the pattern of differences by Muslim status changed significantly over time. By comparing the differences in the outcomes detailed above by whether referred to CARRP and Muslim status, I am able to

Skirbekk and Gina A. Zurlo (eds.), *Yearbook of International Religious Demography 2017* (Leiden: Brill 2017)). Appendix B delineates how they were classified, but given the relatively trivial number of applications these represent, the decision of how to classify the countries has no impact on my findings.

²⁴ To test the sensitivity of my finding with respect to the Executive Order regarding Muslim countries of origin, I removed Iraq (which was not part of the later EO 13780) from the definition of predominantly Muslim countries. This alternative definition did not alter any of my findings concerning the effect of Muslim countries of origin mentioned in the EO on outcomes.

determine the extent to which the Plaintiffs' allegations are supported or contradicted by the data.

II. CONCLUSIONS

1. Only a very small portion of I-485 and N-400 applications are referred to CARRP: about 0.14% (roughly 1 in 700) for all applications during the 7-year period studied (FY 2013-FY 2019); and no more than about 1% for applicants from EO 7 countries; and less than that for all Muslim majority countries combined.
2. Contrary to Plaintiffs' suggestion that Muslim applicants tend to be pushed into CARRP where their applications are generally denied or not adjudicated, most applications adjudicated under CARRP are approved, not denied. The approval rates for CARRP-adjudicated applications are not lower for persons from EO 7 countries or from Muslim majority countries than for other applicants, indicating that there is no tendency for denial of applications for persons from Muslim majority countries whose applications are adjudicated under CARRP.
3. There is no significant difference in time for adjudication under CARRP for applications from applicants from non-Muslim countries and applications from applicants from EO 7 countries or all Muslim countries or all countries combined.
4. There is *no* significant trend toward increasing disproportionate referral to CARRP, or toward the denial of applications adjudicated under CARRP for applicants from EO 7 countries or applicants from Muslim majority countries as compared to applicants from non-Muslim countries or all countries combined when examined over time, and comparing the period prior to the issuance of EO 13769 and the period following the EOs.

5. From the beginning of the data (FY 2013), applications from applicants from Muslim countries are more likely than applications from applicants from non-Muslim countries to be processed through CARRP. While applications from Muslim and non-Muslim countries are treated essentially the same with respect to time to adjudication and approval rates, those in CARRP have a higher denial rate and a longer time to adjudication. Thus, the facially neutral application of the CARRP policies resulting from referral to CARRP has an unintended disparate impact upon applications from applicants from Muslim countries. However, contrary to Plaintiffs' claims, this disparate impact was not exacerbated by the alleged extreme vetting suggested by EO 13769 and EO 13780. From a statistical standpoint, the reason(s) for this disparity cannot be explained by the data alone. The bases for these conclusions are presented *infra*. I explain each analysis and present the statistical results in tables. After each table, I summarize the findings the tables support. At the end of the report, I summarize all the findings from all the analyses.

III. ANALYSIS OF THE DATA PROVIDED

A. ANALYSIS OF THE IMPACT OF CARRP STATUS ON OUTCOME

1. Processing Under CARRP

Table 1 presents the data concerning the number and percent of I-485 applicants who are processed under CARRP. Table 2 presents the same data concerning N-400 applicants.

TABLE 1						
THE NUMBER AND PERCENT OF FORM I-485 APPLICATIONS THAT ARE PROCESSED UNDER CARRP BY FISCAL YEAR APPLIED 2013 -2019						
Counts of I-485s by Fiscal Year						
Fiscal Year	Not CARRP Processed	Processed Under CARRP	Percent Not CARRP Processed	Percent Processed Under CARRP	Change from prior Fiscal Year	Percent Change from prior Fiscal Year
2013	602,848	221	99.96%	0.04%		
2014	636,916	217	99.97%	0.03%	-0.003%	-7.060%
2015	637,177	533	99.92%	0.08%	0.050%	145.400%
2016	709,513	1,341	99.81%	0.19%	0.105%	125.707%
2017	759,190	1,492	99.80%	0.20%	0.007%	3.972%
2018	698,537	1,229	99.82%	0.18%	-0.021%	-10.457%
2019	596,239	609	99.90%	0.10%	-0.074%	-41.903%
2013-2019	4,640,420	5,642	99.88%	0.12%		

TABLE 2						
THE NUMBER AND PERCENT OF FORM N-400 APPLICATIONS THAT ARE PROCESSED UNDER CARRP BY FISCAL YEAR APPLIED 2013 -2019						
Counts of N-400 by Fiscal Year						
Fiscal Year	Not CARRP Processed	Processed Under CARRP	Percent Not CARRP Processed	Percent Processed Under CARRP	Change from prior Fiscal Year	Percent Change from prior Fiscal Year
2013	772,958	112	99.99%	0.01%		
2014	786,100	276	99.96%	0.04%	0.021%	142.259%
2015	785,291	675	99.91%	0.09%	0.051%	144.693%
2016	984,166	2,183	99.78%	0.22%	0.135%	157.705%
2017	977,925	2,874	99.71%	0.29%	0.072%	32.399%
2018	837,632	2,212	99.74%	0.26%	-0.030%	-10.117%
2019	821,479	1,229	99.85%	0.15%	-0.114%	-43.282%
2013-2019	5,965,551	9,561	99.84%	0.16%		

With respect to the referral of applicants to CARRP, the data clearly shows that:

- i) The relative number of I-485 and N-400 applications processed pursuant to the CARRP policy from FY 2013 through 2019 is very small, well below 1%. Only 0.12% or 5,642 of the 4,640,420 I-485 applications were processed under CARRP, and only 0.16% or 9,561 out of 5,965,551 N-400 applications were processed under CARRP. Combining both groups, there were 10,605,971 applications, of which only 0.14% or 15,203 were processed under CARRP.
- ii) The percent of I-485 applicants who applied in a given year and whose applications were processed under CARRP increased starting in FY 2015 and peaked in FY 2017, with the largest percentage and absolute number of those

processed under CARRP impacting applicants who applied in FY 2016. The same pattern occurred for N-400 applicants.²⁵ Applications received in a fiscal year can be referred to CARRP in the fiscal year in which applicants apply or in any subsequent fiscal year. Hence, to some extent, one would expect the numbers referred to CARRP to be somewhat reduced compared to earlier years because the time period for possible referral is shortened (since the data is truncated on September 30, 2019, the end of FY 2019). This will obviously have a smaller impact the earlier the applicant applies before September 30, 2019. However, this could not cause the referral rate to increase over time.²⁶

iii) The increase in relative terms of the percentage of applicants referred to CARRP starts with FY 2015 applications for I-485 applicants and with FY 2014 applications for N-400 applicants. While the present statistical analysis cannot tie a specific reason to the increase in referral of applications to CARRP or the pattern of change over time, it is notable that the rise in the number of I-485 and N-400 applications increased sharply in 2016 and has remained at the higher levels. Potential reasons for this rise in the number of CARRP referrals may be linked to any number of unexamined factors not addressed here, and may include trends in the applications USCIS receives, changes in global patterns of terrorist activity or other activities raising

²⁵ The same pattern occurred for N-400 applications except in FY 2014, when there was a small numerical but large percentage increase in those processed in CARRP, while FY 2014 showed both a small numerical and small percentage increase among I-485 applicants.

²⁶ But, for fiscal years closer to FY 2020, it is possible that the reduction it causes may mask a true increasing pattern.

national security concerns, such as espionage, and reactions and responses to security incidents in the United States and worldwide. The large increase in the number of FY 2016 applications processed in CARRP is also concurrent with the issuance of the Executive Orders, the first of which (13769) occurred on January 27, 2017, since many of the FY 2016 referrals occur after the issuance of Executive Order 13769. To assess whether the sharp increase appears to be primarily due to the alleged response to the Executive Orders, I examined what percentage of FY 2016 applications were referred to CARRP after the issuance of Executive Order 13769. If there is an increase in FY 2016 applications referred to CARRP on or after 1/27/2017 (the issuance day of Executive Order 13769), I considered the possibility that it could be due to changes in the screening process allegedly introduced by the issuance of the Executive Order. To assess this, we need to identify a standard benchmark of what proportion of applications are normally referred after a certain time. To get that benchmark, I examined the time it took for FY 2015 applicants referred to CARRP to be referred during a comparable time period. The percentage of FY 2015 applicants who were referred to CARRP after 1/26/2016 but before 1/27/2017 should look similar to the percentage referred to CARRP between 1/27/2017 and 1/26/2018 if the selection process for CARRP did not significantly change. That is, if the pattern of referring FY 2016 applicants after application over time is the same as that of referring FY 2015 applicants, then it is unlikely that the FY 2016 increase was caused by a change in policy due to the issuance of the Executive Orders. The data shows

that the percentage of I-485 FY 2015 applicants who were referred to CARRP after 1/26/2016 but before 1/27/2017 was almost identical (60.13% v 62.06%) and was not statistically significantly different from the comparable figure for those FY 2016 applicants referred during the comparable period) after the issuance of the Executive Order 13769 (1/26/17 to 1/27/18). This would strongly indicate that the increase in I-485 referrals to CARRP is a continuation of the increase in referral trend beginning in 2016, rather than a response to the Trump Administration's alleged actions in changing the bases for referrals to CARRP or the operation of CARRP. With respect to N-400 applicants, the statistical evidence is different. The percent of FY 2016 referrals to CARRP in the first year after the issuance of Executive Order 13769 is statistically significantly higher than the rate for FY 2015 applicants in the comparable time period. This data does not refute²⁷ the possibility that a portion of the increase in referrals to CARRP for N-400 applicants was somehow associated with the issuance of the Executive Orders.

²⁷ While it would statistically support such an inference, it does not confirm that scenario.

2. Agency Source of Information Supporting Referral to CARRP

Data regarding the source of the information supporting the referral of an application to CARRP is available, but is limited. It is my understanding that when a referral is made, only a single source of information can be chosen to be recorded electronically from a pull-down option on the computer screen. The source of the reported information noted as supporting the referral to CARRP was grouped by USCIS into one of three possible categories: USCIS Information; “Third Agency Information” (which represents an agency other than USCIS); or “Indeterminate” (when the reported agency source of the data could not be classified into a specific agency source). The result of that coding tabulated for all CARRP referrals by type of applicant (I-485 and N-400) and fiscal year of application is presented in Tables 3 and 4.

TABLE 3						
REPORTED SOURCE OF NATIONAL SECURITY CONCERNS RESULTING IN CARRP REFERRAL BY FISCAL YEAR 2013-2019 I-485 APPLICANTS						
Fiscal Year	USCIS Information	Percent USCIS	Third Agency Information	Percent Third Agency	Indeterminate	Percent Indeterminate
2013	9	4.07%	198	89.59%	14	6.33%
2014	6	2.76%	187	86.18%	24	11.06%
2015	9	1.69%	489	91.74%	35	6.57%
2016	14	1.04%	1,256	93.66%	71	5.29%
2017	29	1.94%	1,352	90.62%	111	7.44%
2018	16	1.30%	1,133	92.19%	80	6.51%
2019	11	1.81%	513	84.24%	85	13.96%
2013-2019	94	1.67%	5,128	90.89%	420	7.44%

TABLE 4

**REPORTED SOURCE OF NATIONAL SECURITY CONCERNS RESULTING IN
CARRP REFERRAL BY FISCAL YEAR 2013-2019
N-400 APPLICANTS**

Fiscal Year	USCIS Information	Percent USCIS	Third Agency Information	Percent Third Agency	Indeterminate	Percent Indeterminate
2013	-	0.00%	107	95.54%	5	4.46%
2014	2	0.72%	255	92.39%	19	6.88%
2015	4	0.59%	642	95.11%	29	4.30%
2016	2	0.09%	2,112	96.75%	69	3.16%
2017	11	0.38%	2,455	85.42%	408	14.20%
2018	4	0.18%	1,914	86.53%	294	13.29%
2019	4	0.33%	1,086	88.36%	139	11.31%
2013-2019	27	0.28%	8,571	89.65%	963	10.07%

The data shows that:

- i) The agency source recorded for most of the referrals to CARRP was a Third Agency. In almost 90% of the cases, the source of information recorded as supporting the referral is a Third Agency.
- ii) The number and percent of referrals to CARRP reported as being based on information sourced from USCIS is very small. Only 1.67% of I-485 applicants (94 out 5,642) and only 0.28% of the N-400 applicants (27 out of 9,561) are recorded as being supported by information sourced by USCIS.
- iii) With respect to the pattern of the agency source of referrals of I-485 applicants, I found no pattern over time. With respect to the pattern of the source of referrals of N-400 applicants, the data shows a clear increase in the number and percent of cases coded as Indeterminate in FY 2017 and, while

the number drops in subsequent fiscal years, the percentage of cases noted as Indeterminate remains markedly higher than in the early years.

It is my understanding²⁸ that the actual reason for referral could come from more than one source despite the inability of the FDNS-DS data system to indicate that. To determine the extent to which that occurs, and to validate the single agency source being indicated in the data, I selected a random sample of 135 I-485 and N-400 applications that were identified as “Third Agency” sourced and a random sample of 70 of those identified as USCIS or Indeterminate sourced,²⁹ and instructed USCIS to have a knowledgeable employee(s) review the relevant information to determine what information sources from what agencies supported the basis for the applicant’s referral to CARRP. The employee(s) selected was not to be shown what agency source was reported in the computer data. If both USCIS and a Third Agency were found to be a source of the information supporting the referral to CARRP, then it was determined to the extent possible which source first supplied the information raising a potential national security concern with the applicant.

The results of the validation study are presented in Table 5.

²⁸ Based on discussions with USCIS personnel.

²⁹ The 70 randomly selected USCIS or Indeterminate sourced applications consisted of 64 applications from the Indeterminate category and 6 from the USCIS category.

TABLE 5			
RESULTS OF VERIFICATION OF "IDENTIFIED" PRIMARY BASES FOR THE INDIVIDUAL'S NATIONAL SECURITY CONCERN			
Identified Sources	Verified Sources	Count	Percent
	Both	53	39.3%
	Third Agency First	45	33.3%
	USCIS First	5	3.7%
	Indeterminate First	3	2.2%
Third Agency Information	Third Agency Information only	82	60.7%
	USCIS Information only	0	0.0%
	Both	16	25.0%
	Third Agency First	14	21.9%
	USCIS First	2	3.1%
Indeterminate	Third Agency Information only	14	21.9%
	USCIS Information only	34	53.1%
	Both	3	50.0%
	Third Agency First	2	33.3%
	Indeterminate First	1	16.7%
USCIS Information	Third Agency Information only	0	0.0%
	USCIS Information only	3	50.0%

The study shows that:

- i) In all cases in which the agency source of the information is classified as Third Agency or USCIS, the validation study confirms that relevant information for the referral to CARRP did come from a Third Agency. Hence, the study validates the data with respect to the determination that a Third Agency and USCIS are a source of the information relevant to referral to CARRP.

ii) However, a significant portion (35%) of the referrals were supported by information from both USCIS and Third Agencies, not only the single agency source of information recorded in the data system. Moreover, when the single source of the information recorded in the computer data system could not be specified as to the agency (USCIS or Third Agencies), the validity study of the classification found that for about half of the cases there was actually relevant data supplied by USCIS only, for about one-quarter of the cases there was relevant data supplied by a Third Agency only, and for the remaining quarter of the cases there was relevant data supplied by both USCIS and a Third Agency.

iii) When both USCIS and a Third Agency are sources for referral to CARRP, in most of the cases (i.e., 89.7% of the time) the Third Agency was the first source of information supporting the referral.

Although I have no information as to how the single source was selected when multiple sources of information exist,³⁰ it is clear that the single reported source significantly underestimates the frequency of USCIS being a source, and to a much lesser extent underestimates the amount of input from Third Agencies. However, it does appear that a Third Agency is the predominate first source supporting referral of an application to CARRP.

While I cannot precisely determine the frequency of USCIS and a Third Agency being a source of data or the first source supporting the referral, I can estimate those frequencies based on the data in Tables 3, 4, and 5. Specifically, I estimate the percent of USCIS referrals that

³⁰ I was informed by USCIS that there was not a specific rule for determining which information source to record in FDNS-DS if there were multiple sources for referring an application for processing pursuant to the CARRP policy.

were a source as equal to the number of cases where it was reported as the single agency source of relevant information plus 40% of the cases where the Third Agency was reported as the single source of relevant information plus 75% of the cases where the reported agency source was Indeterminate. Similarly, I estimate the number of cases where a Third Agency was reported as an agency source of the reported information as the number of cases where it was reported as the single agency source plus 50% of the cases where the USCIS was reported as the single agency source plus 50% of the cases where the agency source was reported as Indeterminate. I can also estimate the percent of cases in which the first source was a Third Agency or USCIS by estimating the number of cases where the first source of the referral was a Third Agency as 94% of the cases where the Third Agency was the reported source plus 43.8% of the cases where Indeterminate was the reported source plus 33.3% of the cases where USCIS was the reported source. To be conservative, I assume that USCIS was the first source of the remaining cases.

The results are presented in Tables 6 and 7.

TABLE 6								
ESTIMATED SOURCES OF NATIONAL SECURITY CONCERNS RESULTING IN CARRP REFERRAL								
BY FISCAL YEAR 2013-2019								
I-485 APPLICANTS								
Fiscal Year	USCIS Information is a Source	Percent USCIS is a Source	Third Agency Information is a Source	Percent Third Agency is a Source	USCIS Information is First Source	Percent USCIS Information is First Source	Third Agency is First Source	Percent Third Agency is First Source
2013	99	44.7%	210	94.8%	26	11.8%	195	88.2%
2014	99	45.5%	202	93.1%	34	15.0%	193	85.0%
2015	231	43.3%	511	95.9%	55	10.3%	478	89.7%
2016	570	42.5%	1,299	96.8%	125	9.3%	1,216	90.7%
2017	653	43.8%	1,422	95.3%	163	10.9%	1,329	89.1%
2018	529	43.1%	1,181	96.1%	124	10.1%	1,105	89.9%
2019	280	46.0%	561	92.1%	86	14.1%	523	85.9%
2013-2019	2,460	43.6%	5,385	95.4%	612	10.8%	5,040	89.2%

The number of referrals where USCIS is initial source: Total referrals - estimated cases where Third Agency was first source.
The number of referrals where Third Party is initial source is: $0.94 \times$ Third Party (single source) + $.438 \times$ Indeterminate (single source) + $.333 \times$ USCIS (single source).

TABLE 7								
ESTIMATED SOURCES OF NATIONAL SECURITY CONCERNS RESULTING IN CARRP REFERRAL								
BY FISCAL YEAR 2013-2019								
N-400 APPLICANTS								
Fiscal Year	USCIS Information is a Source	Percent USCIS is a Source	Third Agency Information is a Source	Percent Third Agency is a Source	USCIS Information is First Source	Percent USCIS Information is First Source	Third Agency is First Source	Percent Third Agency is First Source
2013	47	41.6%	110	97.8%	9	8.0%	103	92.0%
2014	118	42.8%	266	96.2%	27	9.8%	249	90.2%
2015	283	41.9%	659	97.6%	57	8.4%	618	91.6%
2016	899	41.2%	2,148	98.4%	167	7.7%	2,016	92.3%
2017	1,299	45.2%	2,665	92.7%	384	13.4%	2,490	86.6%
2018	990	44.8%	2,063	93.3%	283	12.8%	1,929	87.2%
2019	543	44.2%	1,158	94.2%	146	11.9%	1,083	88.1%
2013-2019	4,178	43.7%	9,066	94.8%	1,073	11.2%	8,488	88.8%

The number of referrals where USCIS is initial source: Total referrals - estimated cases where Third Agency was first source.
The number of referrals where Third Party is initial source is: $0.94 \times$ Third Party (single source) + $.438 \times$ Indeterminate (single source) + $.333 \times$ USCIS (single source).

This analysis shows that:

- i) A Third Agency is a source for almost all referrals to CARRP. I estimate that a Third Agency supplied relevant information for approximately 95% of all referrals. USCIS also supplied relevant information in about 45% of all referrals.
- ii) In approximately 90% of the cases the first (or only) source was a Third Agency, and in slightly more than 10% of the cases USCIS was the first or only source of information leading to referral of the application to CARRP.
- iv) With respect to I-485 referrals, the role of USCIS and a Third Agency was very consistent over the period. With respect to N-400 referrals, starting with applications supplied in 2017, there was a slight consistent increase in USCIS supplying information, and USCIS being the first or only source of information relevant to the decision of referring the application to CARRP. However, these changes are small and impact only a very trivial percentage of the applications received.

3. Comparison of CARRP and Non-CARRP Applications with Regard to Approval, Denial, and Time to Adjudication

Table 8 compares the approval rates for I-485 and N-400 applicants by CARRP status among those whose application was either approved or denied.

TABLE 8								
Approval and Denial Rates of I-485 and N-400 Applicants by CARRP Status								
Fiscal Year of Decision	Not CARRP Processed				Processed Under CARRP			
			Approval Percent	Denial Percent			Approval Percent	Denial Percent
	Approved	Denied			Approve	Denied		
Approval and Denial Rates of I-485 Applicants by CARRP Status								
2013-2019	3,563,072	258,104	93.25%	6.75%	2,756	897	75.44%	24.56%
Approval and Denial Rates of N-400 Applicants by CARRP Status								
2013-2019	4,842,818	435,467	91.75%	8.25%	4,683	1,448	76.38%	23.62%

Table 8 shows that overall

- i) While almost all applications processed through the normal vetting process are approved (93.25% of I-485 and 91.75% of N-400 applications) and most of those processed through CARRP are also approved (over three-quarters of the applications), the denial rate for those processed under CARRP is significantly higher than the denial rate for those not processed under CARRP. That is, those in the population referred to CARRP are more likely to be ineligible for an immigration benefit and be denied than the non-CARRP processed applicants.³¹

It is not surprising that the screening process for identifying who is and who is not a national security concern is far from perfect. Of course, if it were perfect, there would be no need for CARRP. The CARRP policy is based on the premise that a higher degree of scrutiny will permit deconfliction with other agencies, resolve whether the applicant is actually a national

³¹ Or, although unlikely, it could be that the non-CARRP screening simply misses more people who should be denied.

security concern, and resolve whether an applicant who is a national security concern is eligible for the benefit sought, so that appropriate action can be taken. Further, if the applicant turns out to not be a national security concern and is acceptable for an immigration benefit, the cost of the increased scrutiny will only be an increase in the average³² time to approval; on the other hand, if the applicant turns out to be a national security concern, the benefit will be identifying a national security concern and taking appropriate action.

Looking at the approval rates over time rather than overall, it is possible to assess whether the data supports or is inconsistent with an allegation that the Executive Orders that allegedly resulted in extreme vetting caused the screening process for CARRP referral to be expanded to (a) include applications with a lower probability of being a national security concern and/or (b) accept referrals supported by less reliable information. If the allegation is true, we would expect to find that, as the referral rate increases, there is also a higher false positive rate in referrals to CARRP. If so, the data would support such an allegation but, if there is no increase in the CARRP approval rate accompanying the increase in the CARRP referral rate, then the data would be inconsistent with and refute such an allegation. As shown in Tables 11 and 13 below, my analysis ultimately concludes that there was no increase in the CARRP approval rate accompanying the increase in the CARRP referral rate following the issuance of the Executive Orders.

³² I say “on average” since some applications will be quickly determined not to be national security concerns and will therefore be more quickly approved if the applicant is not otherwise ineligible (perhaps almost as quickly as if not processed through CARRP).

Table 9 compares the time to adjudication for I-485 and N-400 applicants by CARRP status given the applicant is adjudicated.³³

TABLE 9				
I-485, and N-400 Applicants Received in Fiscal Year 2013 - 2019				
Average and Median Processing Times for Adjudicated Applications by CARRP vs Non-CARRP in Days				
Form	CARRP	Completions	Mean	Median
I485	NO	3,842,122	263	206
	YES	3,699	708	647
N400	NO	5,316,339	234	197
	YES	6,275	721	667
Grand Total	NO	9,158,461	246	201
	YES	9,974	716	661

Table 9 shows that

- i) the time to adjudication for applications adjudicated is significantly longer for those processed under CARRP, as expected since the CARRP policy requires a higher degree of scrutiny of the applicants because of the national security concern or potential concern.

However, one must be cautious in interpreting the data presented in Tables 8 and 9 due to the limitation of such analyses in assessing the change in denial and approval rates, comparisons over time because of the impact of pending decisions on the final outcome and time to such

³³ Almost all adjudications are denials or approvals, but there are a few cases which are closed without a denial or approval determination for administrative or other reasons. These cases are included in the time to adjudication calculation.

outcomes. When looking at time to adjudication, the data is restricted to those who have been adjudicated. This ignores the effect on applicants whose applications have not yet been adjudicated. Hence, the time to adjudication for applicants who apply at the same time is understated since, by definition, the time a case is pending is shorter than the time it will take from filing through adjudication. This will likely not change the conclusion that the time to adjudication is longer for those in CARRP. However, if one wants to compare differences by CARRP status over time, one should compare applicants who apply in the same fiscal year, not those whose applications are adjudicated in the same fiscal year. Moreover, when comparing approval rate differences, one must not only focus on applicants who applied in the same fiscal year, but also adjust for the differences in pending cases. To illustrate this issue consider the following hypothetical.

<u>Number applied in 2017</u>	<u>Denied</u>	<u>Approved</u>	<u>Pending</u>
Non-CARRP	2,000	7,000	1,000
CARRP	10	35	45

The rates of denial are the same by CARRP status if one focuses only on the number denied and approved.³⁴ However, if one also assumes that the average time to adjudication is the same by CARRP status, the results could be misleading if the numbers pending are significant. When the pending cases are adjudicated, the average length of time to completion will increase significantly, and the increase would be even greater for those in CARRP.³⁵ More significantly, if the likelihood of a decision being favorable is higher (or lower) the longer a case is pending,

³⁴ The approval rate for non-CARRP = $2000/(2000+7000)$, which equals the CARRP rate of 10/45.

³⁵ The median will generally be impacted less than the mean, but if the percentage of cases pending is large, then the effect on the median could still be large. However, the mean can be significantly impacted by a few extreme values.,

then the denial and approval rates will change, since the percent of pending cases is likely larger among CARRP applications. Another issue is that the percentage of cases pending would be expected to be larger the closer the fiscal year in which the applicant applied is to the when the data collection is truncated (here, September 30, 2019). Hence, if one wants to compare denial rates and time to decision for applicants in the early years to denial rates and time to decision for applicants in the later years, one must account for the date of the application and the length of the possible period until a decision. That is, one must examine the decision process considering both when the application was made and when the decisions are made.

The change in the rates of approvals, denials, and pending decisions of applicants who apply in the same fiscal year by CARRP status will yield insight into whether there is any support for the Plaintiffs' allegations that (i) the alleged extreme vetting resulting from the Executive Orders increased the time to adjudication, especially for those approved, and that (ii) the alleged extreme vetting increased the number and percent of applicants who were not actually a national security concern but were referred to CARRP.³⁶

Thus, to analyze the changes in approval and denial rates over fiscal years, and the length of time to adjudications, I grouped applicants by the fiscal year in which they applied and by CARRP status, and computed the following for each group of applicants: approval rates; denial rates; and still pending rates by fiscal year of application and at the end of each subsequent fiscal year until FY 2019 (the last date for which information was collected). Table 10 presents the pending rates for I-485 applications, while Table 11 presents the approval rates, and Table 12

³⁶ Since the data does not allow me to determine who was referred to CARRP but determined to not be of national security concern after review, I use the false positives as a proxy, assuming the percent of cases in which an applicant was found to be a national security concern but was nevertheless approved is a small percent of the approvals.

presents the denial rates. All three tables show the rates over time. Hence, for each application fiscal year cohort, I present the rate of outcomes at the end of the fiscal year in which they applied and at the end of each fiscal year after they applied. The maximum number of fiscal years after they applied is 6 years for the FY 2013 cohort and is lower by one for each subsequent fiscal year applicant cohort. For example, for the FY 2017 cohort there are values only for the fiscal year in which they applied and for the end of FY 2018 (1 year after) and FY 2019 (2 years after).

When comparing the results, one must compare results for which the exposure time is the same. The difference between outcomes for the CARRP and non-CARRP same fiscal year cohorts (with the same time to adjudication

exposure) allows us to determine the difference in that outcome by CARRP status. The actual fiscal year after they applied will vary by fiscal year. I have identified the fiscal years which correspond with the Trump Administration. Focusing on the pending rates with the same time (number of subsequent fiscal years) since application, differences between those decisions that are highlighted (i.e., those corresponding to the Trump Administration) and the unhighlighted decisions would indicate the extent to which the data supports or is inconsistent with Plaintiffs' claims that the Executive Orders' alleged call for extreme vetting increased the number of applications referred to CARRP and the number of those referred who were not actually a national security concern (and also had a disproportionate impact on Muslims).

Table 10 examines the extent to which I-485 applications remain pending beyond the fiscal year in which the application is submitted.

TABLE 10								
COMPARISON OF PERCENT OF I-485 APPLICANTS STILL PENDING BY THE END OF SUBSEQUENT FISCAL YEARS AFTER THE FISCAL YEAR THEY APPLIED BY CARRP STATUS								
Fiscal Year Applied	CARRP Status	Fiscal Years After Fiscal Year Applied						
		0	1	2	3	4	5	6
		Percent Pending						
2013	NON-CARRP	51.25%	10.94%	7.80%	6.65%	5.95%	5.55%	5.24%
2014	NON-CARRP	55.90%	10.79%	6.83%	5.62%	4.83%	4.35%	.
2015	NON-CARRP	59.54%	12.19%	6.50%	4.63%	3.82%	.	.
2016	NON-CARRP	61.64%	15.14%	6.99%	4.39%	.	.	.
2017	NON-CARRP	71.23%	21.12%	6.85%	.	.	.	.
2018	NON-CARRP	76.12%	20.04%	.	.	.	.	.
2019	NON-CARRP	78.27%	.	.	.	.	.	.
2013	CARRP	84.51%	55.40%	43.66%	38.03%	33.80%	23.00%	14.08%
2014	CARRP	89.77%	71.63%	60.00%	50.23%	37.67%	20.47%	.
2015	CARRP	98.67%	94.11%	78.14%	43.16%	15.02%	.	.
2016	CARRP	99.25%	90.64%	46.07%	16.93%	.	.	.
2017	CARRP	98.92%	73.92%	25.95%	.	.	.	.
2018	CARRP	95.33%	48.25%	.	.	.	.	.
2019	CARRP	86.96%	.	.	.	.	.	.
2013	Diff CRP - NCRP	33.26%	44.46%	35.86%	31.38%	27.85%	17.45%	8.84%
2014	Diff CRP - NCRP	33.87%	60.84%	53.17%	44.61%	32.84%	16.12%	.
2015	Diff CRP - NCRP	39.13%	81.92%	71.64%	38.53%	11.20%	.	.
2016	Diff CRP - NCRP	37.61%	75.50%	39.08%	12.54%	.	.	.
2017	Diff CRP - NCRP	27.69%	52.80%	19.10%	.	.	.	.
2018	Diff CRP - NCRP	19.21%	28.21%	.	.	.	.	.
2019	Diff CRP - NCRP	8.69%	.	.	.	.	.	.

Note: All applications that were approved, denied, or pending are considered. Yellow represents fiscal years which are in the period FY17-FY19.

Table 10 shows that

- (i) Clearly, in each FY, those I-485 applications placed in CARRP take longer to be decided.

(ii) However, there is no evidence that the alleged “extreme vetting” as a result of the Executive Orders resulted in increasing the processing times in CARRP. From FY 2015 and thereafter, there is an increase in the cases pending at the end of the initial and first fiscal year after the FY of application. The increase in the CARRP applications still pending at the end of the fiscal year in which they applied is seen with applications received in FY 2015 and FY 2016. These adjudication decisions occur entirely prior to the issuance of the Executive Orders. The increase in the applications still pending at the end the fiscal year after they apply among applications received in FY 2015 is due to decisions made before the issuance of the Executive Orders. The increase in the applications still pending at the end of the fiscal year after applying for applications received in FY 2016 is the result of decisions made both before Executive Order 13769 (about 1/3 of the fiscal year) and after. However, the percent of still pending applications received in subsequent fiscal years (all after EO 13769) shows no increase in pending cases.³⁷ Comparing the levels of pending decisions over the same number of fiscal years after an application was received shows that the rate of cases still pending is lower in the fiscal years after EO 13769 than it was in the year prior to EO 13769. Thus, the data is inconsistent with a claim that the alleged

³⁷ Note that the higher pending rate of FY 2015 applications at the end of FY 2016 is significantly reduced by the end of the FY 2017 [the decisions made in FY 2017 largely (about 2/3) occur after the first Executive Order]. As a result, for FY 2015 applications, the pending rate at the end of the second fiscal year after applying is in line with the experience of applications received in earlier fiscal years.

extreme vetting initiated by the Executive Orders resulted in increasing the time it takes to adjudicate an application processed in CARRP.

Table 11 examines the approval rate and Table 12 examines the denial rate of applicants as a function of the number of fiscal years from application.

TABLE 11								
COMPARISON OF PERCENT OF I-485 APPLICANTS APPROVED BY THE END OF SUBSEQUENT FISCAL YEARS AFTER THE FISCAL YEAR THEY APPLIED BY CARRP STATUS								
Fiscal Year Applied	CARRP Status	Fiscal Years After Fiscal Year Applied						
		0	1	2	3	4	5	6
		Percent Approved						
2013	NON-CARRP	46.97%	84.29%	86.62%	87.40%	87.87%	88.14%	88.30%
2014	NON-CARRP	42.38%	84.50%	87.62%	88.44%	89.01%	89.32%	.
2015	NON-CARRP	38.90%	83.23%	87.85%	89.16%	89.57%	.	.
2016	NON-CARRP	36.79%	79.97%	86.64%	88.37%	.	.	.
2017	NON-CARRP	27.39%	73.92%	85.85%	.	.	.	.
2018	NON-CARRP	22.76%	74.08%	.	.	.	.	.
2019	NON-CARRP	19.77%	.	.	.	.	.	.
2013	CARRP	13.15%	37.56%	43.19%	45.07%	46.01%	48.36%	52.11%
2014	CARRP	7.91%	20.00%	24.65%	28.37%	35.35%	46.05%	.
2015	CARRP	0.76%	4.18%	13.69%	40.68%	58.94%	.	.
2016	CARRP	0.22%	7.19%	44.12%	64.12%	.	.	.
2017	CARRP	0.47%	21.00%	56.64%	.	.	.	.
2018	CARRP	4.00%	41.50%	.	.	.	.	.
2019	CARRP	8.06%	.	.	.	.	.	.
2013	Diff CRP - NCRP	-33.82%	-46.73%	-43.43%	-42.33%	-41.86%	-39.78%	-36.19%
2014	Diff CRP - NCRP	-34.47%	-64.50%	-62.97%	-60.07%	-53.66%	-43.27%	.
2015	Diff CRP - NCRP	-38.14%	-79.05%	-74.16%	-48.48%	-30.63%	.	.
2016	Diff CRP - NCRP	-36.57%	-72.78%	-42.52%	-24.25%	.	.	.
2017	Diff CRP - NCRP	-26.92%	-52.92%	-29.21%	.	.	.	.
2018	Diff CRP - NCRP	-18.76%	-32.58%	.	.	.	.	.
2019	Diff CRP - NCRP	-11.71%	.	.	.	.	.	.

Note: All applications that were approved, denied, or pending are considered.
Yellow represents fiscal years which are in the period FY17-FY19.

TABLE 12

**COMPARISON OF PERCENT OF I-485 APPLICANTS DENIED BY THE END
OF SUBSEQUENT FISCAL YEARS AFTER THE FISCAL YEAR THEY APPLIED
BY CARRP STATUS**

Fiscal Year Applied	CARRP Status	Fiscal Years After Fiscal Year Applied						
		0	1	2	3	4	5	6
		Percent Denied						
2013	NON-CARRP	1.65%	4.45%	5.20%	5.49%	5.67%	5.78%	5.88%
2014	NON-CARRP	1.59%	4.45%	5.22%	5.57%	5.76%	5.89%	.
2015	NON-CARRP	1.43%	4.30%	5.31%	5.83%	6.19%	.	.
2016	NON-CARRP	1.41%	4.51%	5.90%	6.72%	.	.	.
2017	NON-CARRP	1.14%	4.41%	6.63%	.	.	.	.
2018	NON-CARRP	0.92%	5.41%	.	.	.	.	.
2019	NON-CARRP	1.86%	.	.	.	.	.	.
2013	CARRP	2.35%	7.04%	13.15%	16.43%	19.25%	26.76%	31.46%
2014	CARRP	2.33%	7.91%	14.42%	20.47%	26.05%	32.09%	.
2015	CARRP	0.57%	1.52%	7.22%	15.21%	24.71%	.	.
2016	CARRP	0.45%	1.87%	9.29%	18.28%	.	.	.
2017	CARRP	0.54%	4.67%	16.60%	.	.	.	.
2018	CARRP	0.58%	9.75%	.	.	.	.	.
2019	CARRP	4.29%	.	.	.	.	.	.
2013	Diff CRP - NCRP	0.70%	2.59%	7.95%	10.94%	13.58%	20.98%	25.58%
2014	Diff CRP - NCRP	0.74%	3.46%	9.20%	14.90%	20.29%	26.20%	.
2015	Diff CRP - NCRP	-0.86%	-2.78%	1.91%	9.38%	18.52%	.	.
2016	Diff CRP - NCRP	-0.96%	-2.64%	3.39%	11.56%	.	.	.
2017	Diff CRP - NCRP	-0.60%	0.26%	9.97%	.	.	.	.
2018	Diff CRP - NCRP	-0.34%	4.34%	.	.	.	.	.
2019	Diff CRP - NCRP	2.43%	.	.	.	.	.	.

**Note: All applications that were approved, denied, or pending are considered.
Yellow represents fiscal years which are in the period FY17-FY19.**

Tables 11 and 12 show that

- (i) Clearly, the percent denied for I-485 applications from each FY was higher and the percent approved was lower by the end of each subsequent FY for applications processed in CARRP.

(ii) More than 90% of I-485 applicants not in CARRP and who will be approved are approved within one fiscal year after their application.

(iii) The data shows a decrease in approval and denial rates at the end of the initial fiscal year and by the end of subsequent fiscal year, starting in FY 2015, but this decrease appears to disappear by the end of the second fiscal year after application, and thereafter the approval and denial rates are similar, regardless of whether they are decisioned before or after the Executive Orders. This is consistent with the pending data and shows that the short-term increase in the pending rate discussed *supra* was common to applications irrespective of whether they would subsequently be approved or denied

(iv) Moreover, the pattern of approvals and denials over time is inconsistent with Plaintiffs' allegation that extreme vetting due to the Executive Orders resulted in higher approval rate in CARRP, since more applications that were not actually of national security concern were referred to CARRP.

There is no pattern of increase in approval rates in CARRP after the Executive Orders.

Tables 13, 14 and 15 present the same analyses as Tables 10, 11, and 12 but for N-400 applicants.

TABLE 13

**COMPARISON OF PERCENT OF N-400 APPLICANTS STILL PENDING BY THE END
OF SUBSEQUENT FISCAL YEARS AFTER THE FISCAL YEAR THEY APPLIED
BY CARRP STATUS**

Fiscal Year Applied	CARRP Status	Fiscal Years After Fiscal Year Applied						
		0	1	2	3	4	5	6
		Percent Pending						
2013	NON-CARRP	41.04%	1.70%	0.73%	0.50%	0.40%	0.32%	0.06%
2014	NON-CARRP	49.59%	1.98%	0.69%	0.45%	0.32%	0.09%	.
2015	NON-CARRP	47.50%	2.50%	0.77%	0.44%	0.15%	.	.
2016	NON-CARRP	53.03%	5.39%	1.30%	0.43%	.	.	.
2017	NON-CARRP	70.23%	10.60%	0.67%	.	.	.	.
2018	NON-CARRP	74.52%	6.24%	.	.	.	.	.
2019	NON-CARRP	69.70%	.	.	.	.	.	.
2013	CARRP	87.50%	56.25%	45.54%	41.07%	35.71%	22.32%	8.93%
2014	CARRP	96.74%	78.62%	68.12%	56.52%	30.43%	9.06%	.
2015	CARRP	99.70%	93.77%	77.00%	39.32%	13.95%	.	.
2016	CARRP	99.82%	96.56%	43.24%	11.74%	.	.	.
2017	CARRP	99.90%	77.71%	25.32%	.	.	.	.
2018	CARRP	98.00%	48.25%	.	.	.	.	.
2019	CARRP	88.81%	.	.	.	.	.	.
2013	Diff CRP - NCRP	46.46%	54.55%	44.81%	40.57%	35.31%	22.00%	8.87%
2014	Diff CRP - NCRP	47.15%	76.64%	67.43%	56.07%	30.11%	8.97%	.
2015	Diff CRP - NCRP	52.20%	91.27%	76.23%	38.88%	13.80%	.	.
2016	Diff CRP - NCRP	46.79%	91.17%	41.94%	11.31%	.	.	.
2017	Diff CRP - NCRP	29.67%	67.11%	24.65%	.	.	.	.
2018	Diff CRP - NCRP	23.48%	42.01%	.	.	.	.	.
2019	Diff CRP - NCRP	19.11%	.	.	.	.	.	.

**Note: All applications that were approved, denied, or pending are considered.
Yellow represents fiscal years which are in the period FY17-FY19.**

TABLE 14

**COMPARISON OF PERCENT OF N-400 APPLICANTS APPROVED BY THE END
OF SUBSEQUENT FISCAL YEARS AFTER THE FISCAL YEAR THEY APPLIED
BY CARRP STATUS**

Fiscal Year Applied	CARRP Status	Fiscal Years After Fiscal Year Applied						
		0	1	2	3	4	5	6
		Percent Approved						
2013	NON-CARRP	55.67%	90.76%	91.36%	91.46%	91.50%	91.52%	91.53%
2014	NON-CARRP	47.65%	90.25%	91.08%	91.21%	91.25%	91.27%	.
2015	NON-CARRP	49.52%	89.35%	90.54%	90.73%	90.81%	.	.
2016	NON-CARRP	43.88%	86.59%	89.36%	89.73%	.	.	.
2017	NON-CARRP	28.09%	81.89%	89.71%	.	.	.	.
2018	NON-CARRP	24.03%	86.02%	.	.	.	.	.
2019	NON-CARRP	28.51%	.	.	.	.	.	.
2013	CARRP	2.68%	9.82%	10.71%	11.61%	13.39%	19.64%	20.54%
2014	CARRP	1.45%	3.99%	5.80%	11.23%	23.91%	32.25%	.
2015	CARRP	0.15%	1.34%	8.46%	33.53%	49.11%	.	.
2016	CARRP	0.09%	2.06%	46.49%	67.22%	.	.	.
2017	CARRP	0.03%	18.38%	59.40%	.	.	.	.
2018	CARRP	1.77%	43.30%	.	.	.	.	.
2019	CARRP	9.64%	.	.	.	.	.	.
2013	Diff CRP - NCRP	-52.99%	-80.94%	-80.65%	-79.85%	-78.11%	-71.88%	-70.99%
2014	Diff CRP - NCRP	-46.20%	-86.26%	-85.28%	-79.98%	-67.34%	-59.02%	.
2015	Diff CRP - NCRP	-49.37%	-88.01%	-82.08%	-57.20%	-41.70%	.	.
2016	Diff CRP - NCRP	-43.79%	-84.53%	-42.87%	-22.51%	.	.	.
2017	Diff CRP - NCRP	-28.06%	-63.51%	-30.31%	.	.	.	.
2018	Diff CRP - NCRP	-22.26%	-42.72%	.	.	.	.	.
2019	Diff CRP - NCRP	-18.87%	.	.	.	.	.	.

Note: All applications that were approved, denied, or pending are considered.
Yellow represents fiscal years which are in the period FY17-FY19.

TABLE 15

COMPARISON OF PERCENT OF N-400 APPLICANTS DENIED BY THE END OF SUBSEQUENT FISCAL YEARS AFTER THE FISCAL YEAR THEY APPLIED BY CARRP STATUS

Fiscal Year Applied	CARRP Status	Fiscal Years After Fiscal Year Applied						
		0	1	2	3	4	5	6
		Percent Denied						
2013	NON-CARRP	3.05%	7.03%	7.38%	7.48%	7.53%	7.58%	7.74%
2014	NON-CARRP	2.55%	7.24%	7.66%	7.75%	7.83%	7.96%	.
2015	NON-CARRP	2.75%	7.65%	8.14%	8.27%	8.43%	.	.
2016	NON-CARRP	2.91%	7.44%	8.61%	9.00%	.	.	.
2017	NON-CARRP	1.49%	6.85%	8.67%	.	.	.	.
2018	NON-CARRP	1.18%	6.41%	.	.	.	.	.
2019	NON-CARRP	1.42%	.	.	.	.	.	.
2013	CARRP	8.93%	33.04%	42.86%	45.54%	49.11%	56.25%	63.39%
2014	CARRP	1.81%	17.03%	24.64%	30.80%	43.84%	53.62%	.
2015	CARRP	0.15%	4.75%	14.09%	25.37%	34.57%	.	.
2016	CARRP	0.09%	1.33%	9.22%	18.75%	.	.	.
2017	CARRP	0.07%	3.66%	13.74%	.	.	.	.
2018	CARRP	0.09%	6.63%	.	.	.	.	.
2019	CARRP	1.14%	.	.	.	.	.	.
2013	Diff CRP - NCRP	5.88%	26.01%	35.48%	38.06%	41.58%	48.67%	55.65%
2014	Diff CRP - NCRP	-0.74%	9.79%	16.98%	23.05%	36.01%	45.66%	.
2015	Diff CRP - NCRP	-2.60%	-2.90%	5.95%	17.10%	26.14%	.	.
2016	Diff CRP - NCRP	-2.82%	-6.11%	0.61%	9.75%	.	.	.
2017	Diff CRP - NCRP	-1.42%	-3.19%	5.07%	.	.	.	.
2018	Diff CRP - NCRP	-1.09%	0.22%	.	.	.	.	.
2019	Diff CRP - NCRP	-0.28%	.	.	.	.	.	.

Note: All applications that were approved, denied, or pending are considered.

Yellow represents fiscal years which are in the period FY17-FY19.

(i) The results for N-400 mirror those for I-485. Tables 13, 14, and 15 show that clearly, in each FY, N-400 applications placed in CARRP take longer to be decided.

(ii) Clearly, for N-400 applications from each FY, the percent denied was higher and the percent approved was lower by the end of each subsequent FY for applicants processed in CARRP.

(iii) The data of pending rates by FY applied is inconsistent with an allegation that the alleged “extreme vetting” due to the Executive Orders resulted in increased delays in adjudicating N-400 applications.

(iv) The data concerning approvals and denials of N-400 CARRP applications is inconsistent with an allegation that the “extreme vetting” due to the Executive Orders resulted in a higher approval rate among CARRP applications because disproportionately more applications that were not actually national security concerns were processed through CARRP.

B. ANALYSIS OF THE IMPACT OF MUSLIM STATUS ON OUTCOMES

1. Referral for processing under CARRP

Plaintiffs claim that applicants from Muslim countries are more likely to be referred to CARRP for processing, and that this disparity was exacerbated by the Trump Administration’s EOs requiring “extreme vetting,” and that under the Trump Administration the processes were changed to the disadvantage of Muslims. Table 16 presents the overall percentage referred to CARRP by their status as born in a majority Muslim country or not and for fiscal year for I-485 applicants. Table 17 presents the same information for N-400 applicants.

TABLE 16
COUNTS OF I-485 APPLICANTS, REFERRAL RATE TO CARRP AND PERCENT CHANGE FROM PRIOR YEAR,
AND PERCENT OF THOSE IN CARRP BY MUSLIM STATUS AND FISCAL YEAR
MUSLIM STATUS DEFINED BY BIRTH COUNTRY

FISCAL YEAR	NON-MUSLIM (<50%)					MUSLIM (>50%)				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP
13	534,983	70	0.013%	N/A	34.8%	66,660	150	0.23%	N/A	74.6%
14	553,875	72	0.013%	-0.65%	38.1%	81,929	145	0.18%	-21.35%	76.7%
15	552,182	209	0.04%	191.17%	41.4%	84,098	323	0.38%	117.01%	64.0%
16	622,869	460	0.07%	95.12%	36.6%	86,248	876	1.02%	164.45%	69.7%
17	662,422	571	0.09%	16.72%	41.4%	96,586	917	0.95%	-6.52%	66.5%
18	603,136	406	0.07%	-21.91%	36.4%	95,308	817	0.86%	-9.71%	73.2%
19	527,887	229	0.04%	-35.56%	41.9%	67,010	378	0.56%	-34.19%	69.1%
TOTAL	4,057,354	2,017	0.05%		38.8%	577,839	3,606	0.62%		69.5%

FISCAL YEAR	PREDOMINATELY MUSLIM (>=90%)					7 MUSLIM COUNTRIES IDENTIFIED IN EO ¹				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP
13	47,356	131	0.28%	N/A	65.2%	23,304	70	0.30%	N/A	34.8%
14	61,275	117	0.19%	-30.98%	61.9%	35,024	78	0.22%	-25.86%	41.3%
15	62,665	296	0.47%	147.38%	58.6%	37,098	202	0.54%	144.50%	40.0%
16	60,429	796	1.32%	178.87%	63.4%	33,328	543	1.63%	199.22%	43.2%
17	66,206	807	1.22%	-7.46%	58.6%	38,065	571	1.50%	-7.93%	41.4%
18	63,813	710	1.11%	-8.72%	63.6%	36,758	486	1.32%	-11.86%	43.5%
19	35,707	318	0.89%	-19.96%	58.1%	11,317	179	1.58%	19.63%	32.7%
TOTAL	397,451	3,175	0.80%		61.2%	214,894	2,129	0.99%		41.0%

NOTE

¹ Seven Muslim Countries are Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen.

TABLE 17
COUNTS OF N-400 APPLICANTS , REFERRAL RATE TO CARRP AND PERCENT CHANGE FROM PRIOR YEAR,
AND PERCENT OF THOSE IN CARRP BY MUSLIM STATUS AND FISCAL YEAR
MUSLIM STATUS DEFINED BY BIRTH COUNTRY

FISCAL YEAR	NON-MUSLIM (<50%)					MUSLIM (>50%)				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP
13	654,505	24	0.00%	N/A	26.1%	117,981	88	0.07%	N/A	95.7%
14	669,087	47	0.01%	91.57%	19.1%	116,641	227	0.19%	160.92%	92.3%
15	661,956	163	0.02%	250.54%	26.2%	123,293	512	0.42%	113.38%	82.3%
16	859,160	775	0.09%	266.33%	39.9%	125,444	1,380	1.10%	164.91%	71.1%
17	855,913	1,261	0.15%	63.33%	48.3%	123,892	1,608	1.30%	17.98%	61.6%
18	712,597	792	0.11%	-24.56%	39.9%	122,532	1,381	1.13%	-13.16%	69.5%
19	686,210	302	0.04%	-60.40%	27.0%	134,331	918	0.68%	-39.37%	82.0%
TOTAL	5,099,428	3,364	0.07%		39.0%	864,114	6,114	0.71%		71.0%

FISCAL YEAR	PREDOMINATELY MUSLIM (>=90%)					7 MUSLIM COUNTRIES IDENTIFIED IN EO ¹				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP
13	78,014	68	0.09%	N/A	73.9%	36,471	35	0.10%	N/A	38.0%
14	77,792	199	0.26%	193.48%	80.9%	38,061	120	0.32%	228.53%	48.8%
15	81,608	459	0.56%	119.87%	73.8%	40,531	269	0.66%	110.51%	43.2%
16	81,168	1,167	1.44%	155.63%	60.1%	36,456	601	1.65%	148.39%	30.9%
17	82,034	1,348	1.64%	14.29%	51.7%	38,339	735	1.92%	16.29%	28.2%
18	84,161	1,195	1.42%	-13.59%	60.1%	42,802	750	1.75%	-8.60%	37.7%
19	94,036	817	0.87%	-38.81%	73.0%	46,271	564	1.22%	-30.44%	50.4%
TOTAL	578,813	5,253	0.91%		61.0%	278,931	3,074	1.10%		35.7%

NOTE

¹ Seven Muslim Countries are Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen.

Tables 16 and 17 show

(i) I-485 applications for FY 2016-2019 from applicants born in a majority Muslim country were rarely referred to CAARP. Only 0.62% (3,606 out of 577,839) of the applicants born in a majority Muslim country were referred to CARRP. Slightly more (0.80%, 3,175 out of 397,451) applications from applicants born in a predominately Muslim country (at least 90% Muslim population), and slightly more applications from applicants born in one of the

seven Muslim countries named in EO 13769 (0.99%, 2,129 out of 214,894), were referred to CARRP.

(ii) N-400 applications for FY 2013- 2019 from applicants born in a majority Muslim country were rarely referred to CAARP. Only 0.71% (6114 out of 864,114) of the applicants born in a majority Muslim country were referred to CARRP. Slightly more (0.91%, 5,253 out of 397,451) applications from applicants born in a predominately Muslim country (at least 90% Muslim population), and slightly more (1.10%, 3,074 out of 278,941) applications from applicants born in one of the seven Muslim countries named in EO 13769, were referred to CARRP.

(iii) While it is rare that I-485 and N-400 applicants born in majority Muslim countries are processed through CARRP, it is even rarer that non-Muslims are processed through CARRP. Hence, applicants born in majority Muslim countries, predominately Muslim countries, or one of the 7 Muslim countries named in the Executive Orders are significantly more likely to be referred to CARRP.

(iv) Given that being referred to CARRP makes it more likely that an application will be denied, and more likely that processing will take longer for those who are ultimately approved, the CARRP policy has a disproportionate impact on Muslim applicants. That is, while there is no statistical evidence that the CARRP policies are not uniformly applied independent of Muslim status, the effect is that the policies have a disparate impact on Muslims.

There are limitations to the significance of such a statistical disparity, given that disparate impact alone does not suggest or prove the reason(s) for it.³⁸

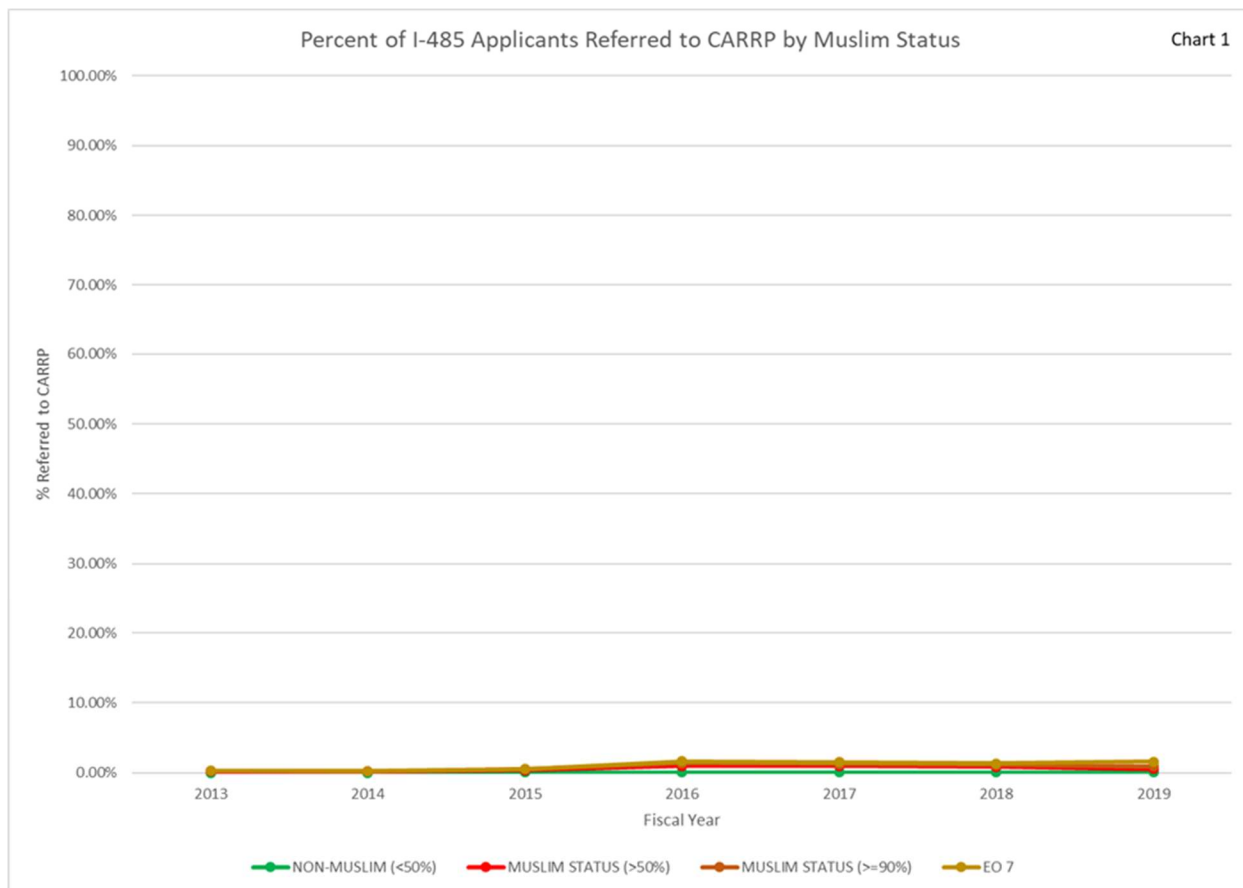
However, there are three additional issues which the data may help address. One issue is whether there is any statistical data to support an inference that Muslim applications were treated differently than non-Muslim applications. Is there statistical data to affirm whether the CARRP policies were neutrally applied without regard to Muslim status? The second issue is whether there is any data to support the allegation that the disparate impact of the CARRP policy was exacerbated by the alleged “extreme vetting” resulting from the Executive Orders. The third issue is whether the processes changed to the disadvantage of Muslims as a result of the Executive Orders.

Table 16 shows that the percentage of I-485 applicants referred to CARRP by Muslim status by fiscal year applied.

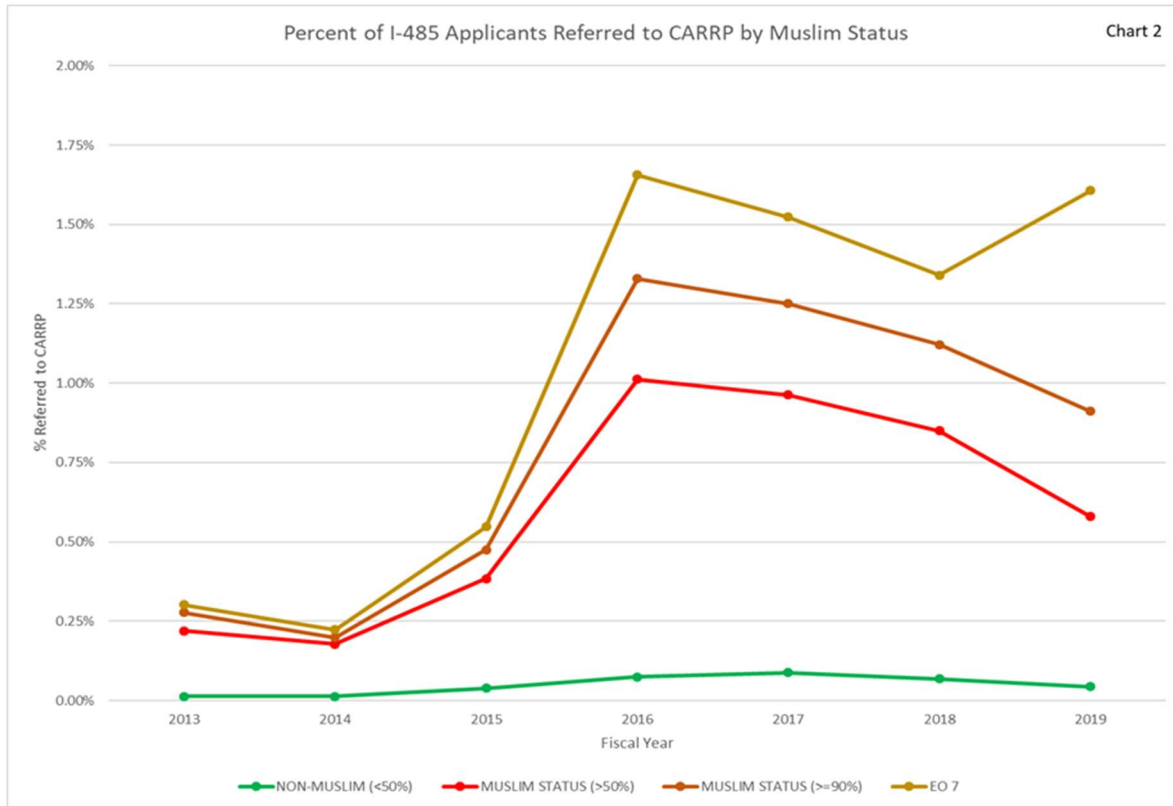
Examining the results by FY, Table 16 shows that

- (i) The disparity in referral to CAARP by Muslim status of I-485 applications exists among applications in the initial fiscal year studied (2013) and for all subsequent fiscal years.
- (ii) The percent of I-485 applicants referred to CARRP remains small over time, regardless of Muslim status (the maximum percentage of any Muslim status group referred to CARRP is always less than 1.65% and generally much closer to or below 1%). (See Chart 1 using a scale of 100%).

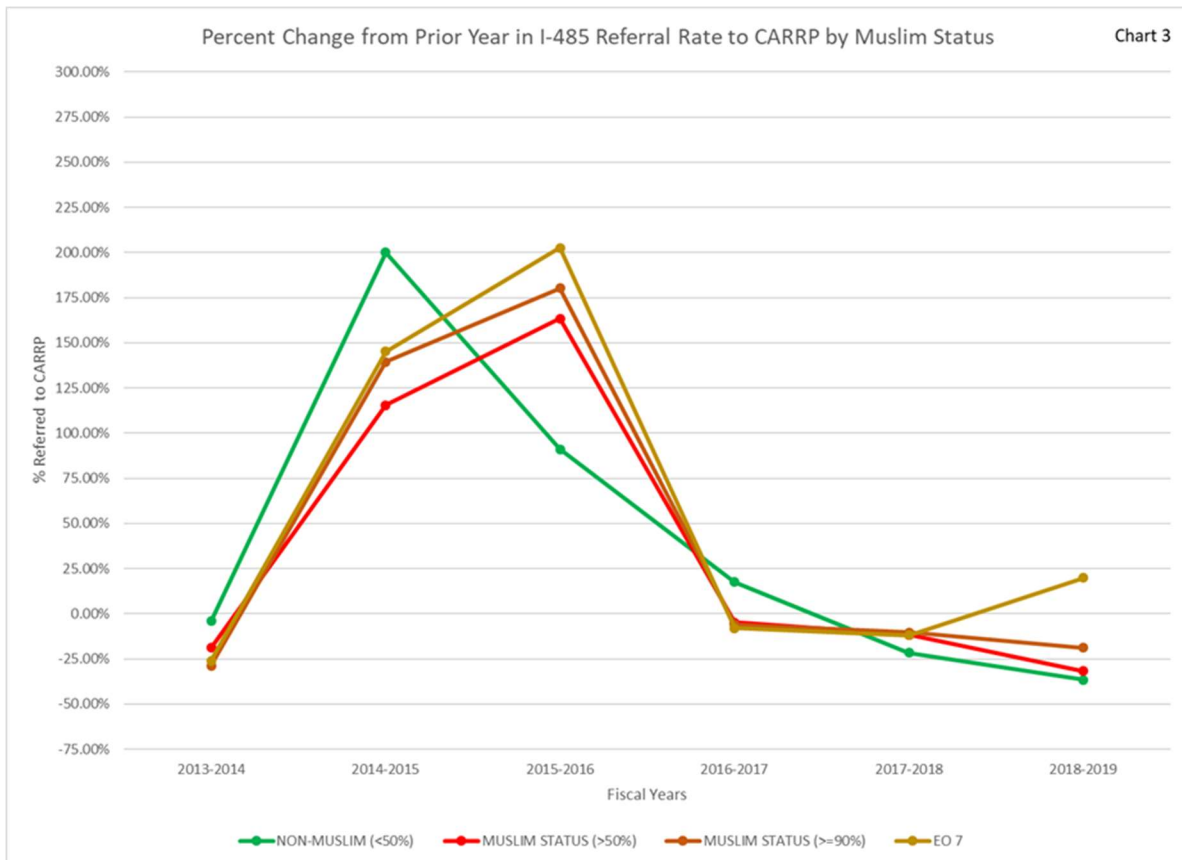
³⁸ Plaintiffs allege that the CARRP program has a disparate impact, but do not specify any particular policies causing the disparate impact.



(iii) Looking at the change in referral rates over time by Muslim status, we see that the pattern is very similar regardless of Muslim status. The fiscal year cohort rates start increasing for the FY 2015 cohort, with the biggest increase occurring for FY 2016 cohort. (See Chart 2 with a scale of 2.0%).

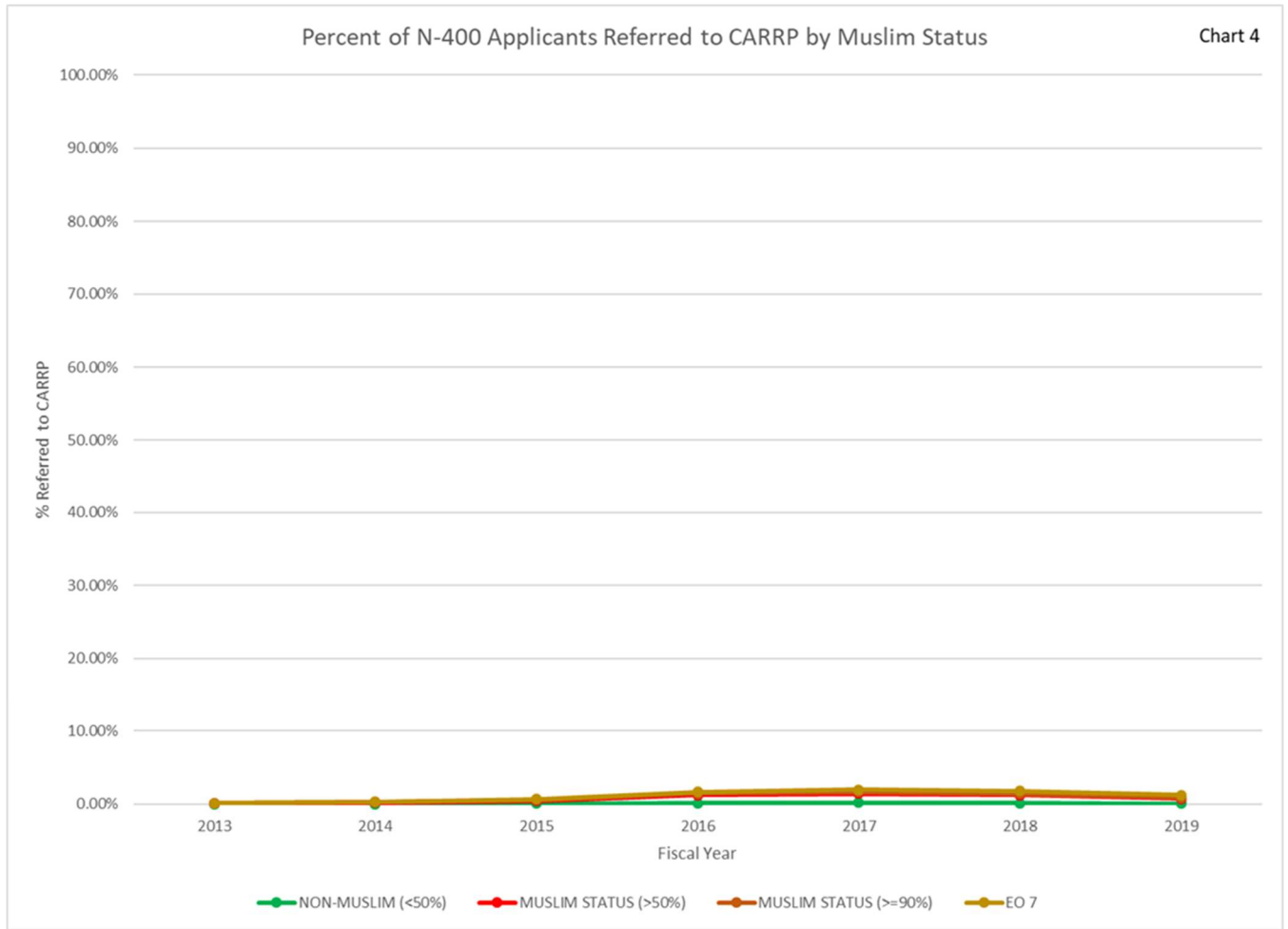


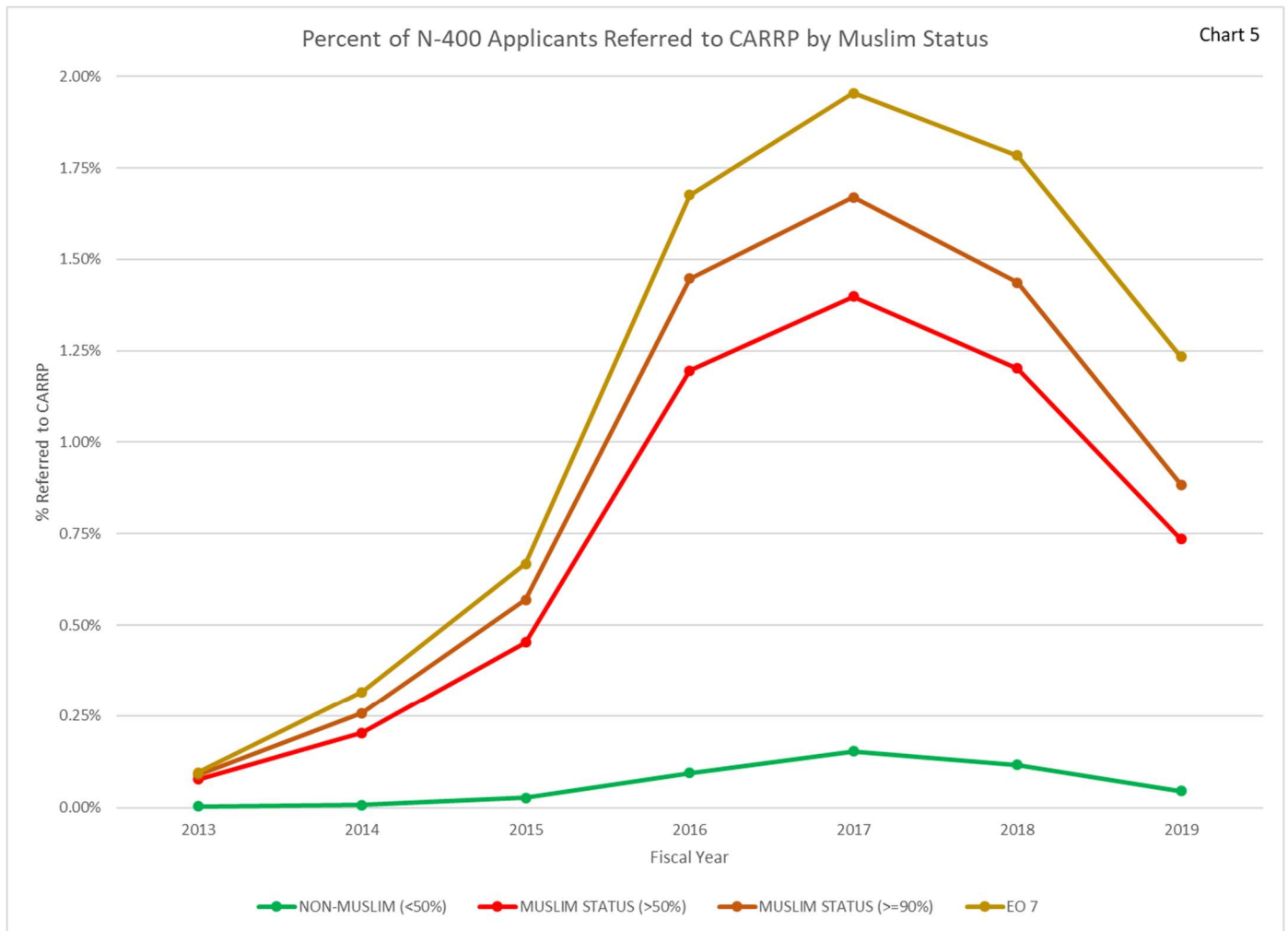
(iv) While the pattern is the same without regard to Muslim status, the magnitude of the increases and number of referrals is greatest for applicants from Muslim majority countries. However, when we look at the relative percentage changes (that is, the percentage change from fiscal year to fiscal year), we find that not only is the pattern the same, but the magnitude of change is also the same by Muslim status. Thus, we see no discernable effect based on Muslim status. (See Chart 3).

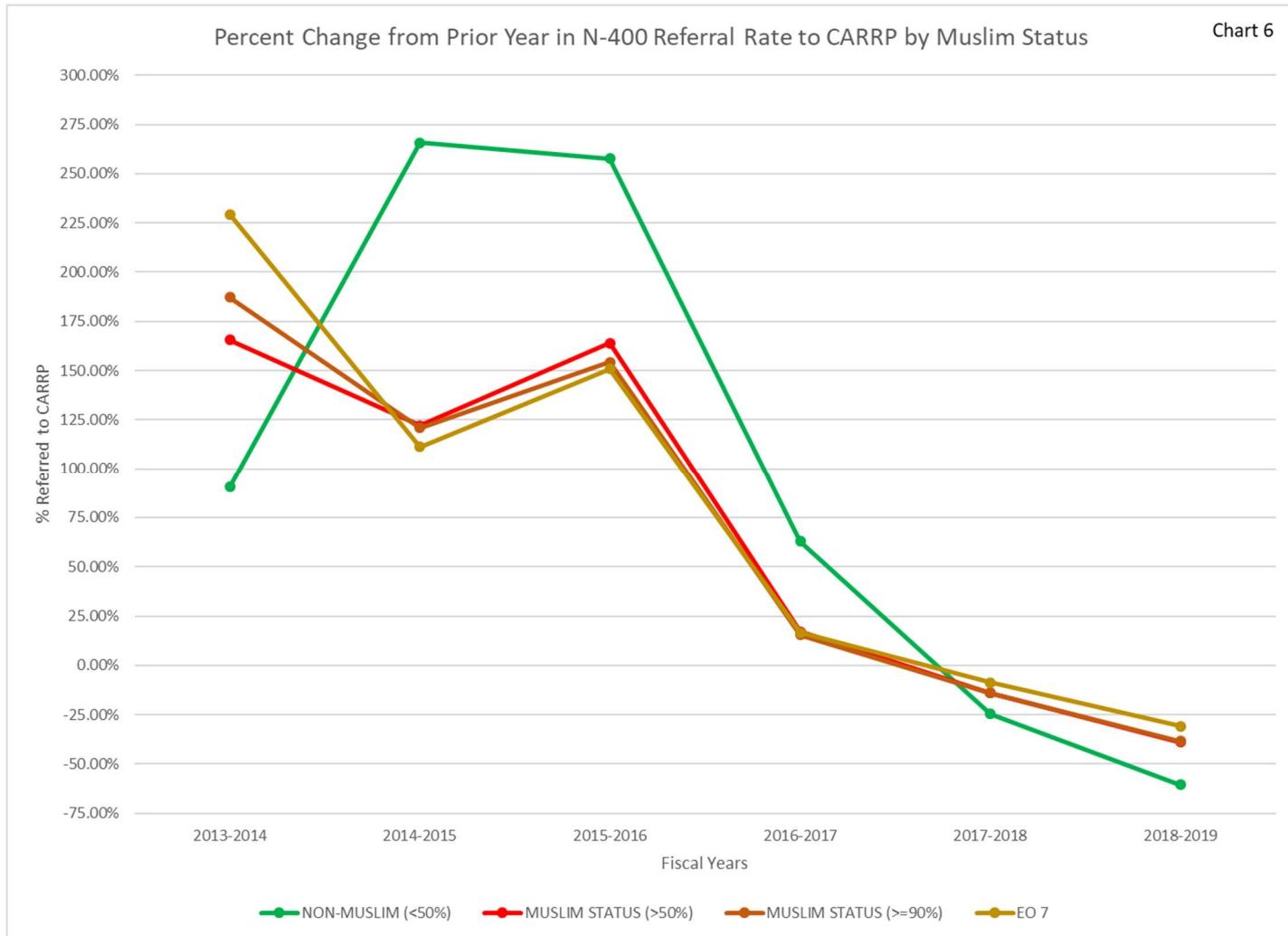


There is a similar pattern³⁹ for the N-400 applicants as for I-485 applicants. (See Charts 5, and 6 below).

³⁹ Except the referral rate of all N-400 FY 2014 cohorts is higher than the FY 2013 referral rate, while the FY 2015 rate is lower. Thereafter, the patterns are the same.







Disparate impact is commonly measured by computing the ratio of the selection rate of the control group (non-Muslim) to that of the protected class (those with a given Muslim status). This ratio is referred to as the 80% rule and, as a rule of thumb, values less than 80% are considered to have a meaningful disparate impact. Normally, the outcome being measured is a positive outcome, such as passing a test or being hired. However, in this case, the outcome of referral to CARRP is considered to be adverse to the applicant (from the applicants' perspective). Therefore, in this case one can either switch the measure to look at not being referred to CARRP, or one can compute the inverse of the normal ratio (i.e., compare the ratio of the selection of the control group to the that of the Muslim status group so a lower value represents a worse outcome

for the protected class). To be conservative, rather than changing the outcome, I compute the 80% ratio as the inverse of the ratio.⁴⁰ Changes in this ratio are determined by the changes in the relative percent of the protected and control groups. Table 18 computes the 80% rule by Muslim status for I-485 and N-400 applications by each FY.

TABLE 18

**"80% RULE" COMPARISONS OF CARRP REFERRALS (OR NON-CARRP REFERRALS) BY MUSLIM STATUS
MUSLIM STATUS DEFINED BY BIRTH COUNTRY**

Fiscal Year	N-400 APPLICATIONS			I-485 APPLICATIONS		
	non-Muslim Rate/ Muslim Rate	non-Muslim Rate/ 90% Muslim Rate/	non-Muslim Rate/ EO: 7 Rate/	non-Muslim Rate/ Muslim Rate	non-Muslim Rate/ 90% Muslim Rate/	non-Muslim Rate/ EO: 7 Rate/
13	4.9%	4.2%	3.8%	5.8%	4.7%	4.4%
14	3.6%	2.7%	2.2%	7.3%	6.8%	5.8%
15	5.9%	4.4%	3.7%	9.9%	8.0%	7.0%
16	8.2%	6.3%	5.5%	7.3%	5.6%	4.5%
17	11.4%	9.0%	7.7%	9.1%	7.1%	5.7%
18	9.9%	7.9%	6.3%	7.9%	6.1%	5.1%
19	6.4%	5.1%	3.6%	7.7%	4.9%	2.7%
TOTAL	9.3	7.3%	6.0%	8.0%	6.2%	5.0%

Note

Values below 80% indicate referrals to CARRP are disproportionately Muslim and the smaller the value, the greater the disparate impact.

Table 18 shows that

- (i) the alleged extreme vetting did not result in increased disparate impact on applications from applicants born in Muslim countries, as Plaintiffs allege.

⁴⁰ Since referral to CARRP is rare, studying the positive outcome of not being referred will always pass the 80% rule, while the inverse ratio may markedly fail the 80% rule. For example, if 0.5% of the control group fails the test, but 1.5% of the protected class passes the test, then the 80% rule using the inverse of the failure rates is 33% (0.5/1.5), which clearly fails the 80% rule (falling outside the 80% to 120% range). But, if we use the passing rate, then the 80% rule is satisfied with a 99% value (98.5%/99.5% or 0.985/0.995), which clearly passes the rule. However, since I am focusing on the change over time, which measure I use is not important since only the pattern over time is relevant.

In studying the outcomes under CARRP by Muslim status, I saw the same large increase in referrals to CARRP for applications received in FY 2015, and the same increase for applications received in FY 2016, so I explored whether it could have been a result of a change in the referral process occurring as a result of the alleged extreme vetting resulting from the EOs. Hence, I looked at the pattern of referrals over time to assess whether this increase might have been partially exacerbated by what Plaintiffs allege was President Trump's program of extreme vetting of Muslim immigrants, assuming that such claimed "extreme vetting" occurred and was somehow incorporated in the process for referral of applications to CARRP, or the processing of applications under the CARRP policy after and in association with the Trump EOs in January and March 2017. While the relative increases in applications from FY 2015 and from FY 2016 appear to be similar for all Muslim status groups, I conducted the same analysis to see if the rise in applicant referrals to CARRP may be related to Muslim status and to the issuance of the EOs, but compared the changes in patterns by whether the applicant was from a Muslim or non-Muslim majority country. That is, I compared the results for non-Muslims to those of applicants from Muslim countries, those from 90% Muslim countries, and those from the seven Muslim countries specified in the EO. Table 19 presents the results of the analysis for both I-485 and N-400 applicants.

TABLE 19

**COMPARISON OF CHANGE DURING PRE EO 13769
AND POST EO 13769 FOR FY 2015 AND FY 2016 APPLICATIONS
WHICH ARE COMPARABLE BY MUSLIM STATUS
DEFINED BY CITIZENSHIP COUNTRY**

<u>Form</u>	<u>Muslim Status</u>	<u>Difference in Comparable Referral Rates</u>	<u>Difference in Comparable Referral Rate Muslim Rate - non-Muslim Cohort Rate</u>	<u>Statistically Significant?</u>
I-485	<50%	3.2%	N/A	
I-485	>=50%	1.4%	-1.8%	No
I-485	>=90%	0.5%	-2.7%	No
I-485	EO7	-0.5%	-3.7%	No
N-400	<50%	28.1%	N/A	
N-400	>=50%	34.0%	1.9%	No
N-400	>=90%	30.7%	2.6%	No
N-400	EO7	28.7%	0.6%	No

Note

Decisions made between 1/27/16 to 1/26/17 on applications received in FY 2015 (pre EO 13769) are comparable with decisions made between 1/27/18 and 1/26/19 on applications received in FY 2016 (post EO 13769).

- (i) The analysis shows that there is no statistically significant difference in the patterns over time (from results pre and post the Executive Order issuances) by Muslim status for either I-485 or N-400 applicants, which is inconsistent with the suggestion that changes in CARRP or vetting practices allegedly associated with the EOs caused an increase in disproportionately referring applicants from Muslim countries to CARRP.

2. Agency Source of Referrals to CARRP by Muslim Status

I also looked at the reported agency referrals to see if the agency sources reported in the FDNS-DS data system supporting the referrals to CARRP are different by Muslim status and

changed with the start of the Trump Administration. Table 20 compares the agency source of the single reported information source supporting the referral to CARRP by Muslim status for I-485 applicants, and Table 21 compares the agency source of the single reported information source supporting the referral to CARRP by Muslim status for N-400 applicants.

TABLE 20

**COMPARISON OF AGENCY SOURCE OF SINGLE REPORTED DATA SUPPORTING REFERRAL OF I-485 APPLICANTS
BY FISCAL YEAR AND MUSLIM STATUS**

Muslim Status Based on Birth Country

Fiscal Year	Percent of Reported Sources Assigned to USCIS				Percent of Reported Sources Assigned to Third Agency				Percent of Reported Sources Assigned to Indeterminate Agency			
	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7
	Muslim	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries
2013	10.0	1.5	0.8	0.0	84.3	92.7	93.1	95.7	5.7	6.0	6.1	4.3
2014	4.2	2.5	2.6	1.3	80.6	89.0	87.2	88.5	15.3	9.0	10.3	10.3
2015	1.0	2.0	1.7	2.0	93.3	90.7	90.9	88.6	5.7	7.1	7.4	9.4
2016	1.7	0.7	0.5	0.4	93.5	93.7	93.8	93.6	4.8	5.6	5.7	6.1
2017	1.9	2.2	1.7	1.6	91.8	89.9	90.0	90.0	6.3	8.2	8.3	8.4
2018	2.0	1.1	0.8	1.9	90.4	93.0	93.5	93.6	7.6	6.0	5.6	5.4
2019	2.6	1.5	0.9	1.7	79.0	87.3	89.3	90.5	18.3	11.4	9.7	7.8
2013-2019	2.2	1.4	1.1	1.1	89.9	91.4	91.8	91.8	7.8	7.2	7.1	7.1

TABLE 21

**COMPARISON OF AGENCY SOURCE OF SINGLE REPORTED DATA SUPPORTING REFERRAL OF N-400 APPLICANTS
BY FISCAL YEAR AND MUSLIM STATUS**

Muslim Status Based on Birth Country

Fiscal Year	Percent of Reported Sources Assigned to USCIS				Percent of Reported Sources Assigned to Third Agency				Percent of Reported Sources Assigned to Indeterminate Agency			
	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7
	Muslim	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries
2013	0.0	0.0	0.0	0.0	100.0	94.3	92.6	94.3	0.0	5.7	7.4	5.7
2014	0.0	0.9	1.0	0.8	93.6	92.1	92.5	90.8	6.4	7.0	6.5	8.3
2015	0.6	0.6	0.7	0.0	94.5	95.3	95.2	94.1	4.9	4.1	4.1	6.0
2016	0.1	0.1	0.1	0.2	96.9	96.6	96.6	97.3	3.0	3.3	3.3	2.5
2017	0.5	0.3	0.1	0.3	74.5	94.0	95.8	95.4	25.1	5.7	4.0	4.4
2018	0.1	0.2	0.3	0.1	76.8	92.0	92.6	92.8	23.1	7.8	7.2	7.1
2019	0.7	0.2	0.2	0.4	84.8	89.4	88.9	89.0	14.6	10.3	10.9	10.6
2013-2019	0.3	0.3	0.2	0.2	82.5	93.5	93.9	93.7	17.2	6.2	5.8	6.1

Tables 20 and 21 show that

- (i) The agency sources reported in the FDNS-DS data system as supporting the referral of I-485 applications to CARRP did not differ by the Muslim status of the applicant. Irrespective of whether the application was from an applicant born in a Muslim or non-Muslim country, approximately 90% of the time the source was a Third Agency. The pattern was fairly consistent regardless of the FY of the receipt of the application, with the exception of FY 2019, which showed an increased inability to assign the source to the USCIS or a Third Agency, and fiscal years 2013 and 2014, which showed an increase for USCIS as the reported source.
- (ii) With respect to N-400 applications, the agency source of the data reported in the FDNS-DS data bases in over 90% of the cases was a Third Agency, but the source for non-Muslims was less likely to be Third Agency and more likely to be Indeterminate. This is because, starting in FY 2017, the number of reported sources classified as Indeterminate significantly increased and was primarily indicated as the source of information for referral of non-Muslim applicants.

Based on the validity data presented in Table 5, as discussed above in reference to Tables 6 and 7, I estimated the extent to which USCIS and Third Agencies were a source supporting the referral (not necessarily the single source of information recorded) and also estimated the extent to which either agency was the first (or only) source supporting the referral. The data concerning whether the agency was a source or the first source appears to be independent of whether the applicant was born in a Muslim country. There is no statistically significant difference in the likelihood of USCIS being a source or the first source irrespective of Muslim status.

The results with respect to USCIS and a Third Agency being a source are presented in Tables 22 and 23, and the results with respect to USCIS or the Third Agency being the first or only source are presented in Tables 22.1 and 23.1.

TABLE 22

ESTIMATED SOURCES OF NATIONAL SECURITY CONCERNS RESULTING IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR I-485 APPLICANTS

Muslim Status Based on Birth Country

Fiscal Year	Percent of Referrals Where Third Agency Information is a Source				Percent of Referrals Where USCIS Information is a Source			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	92.2%	96.5%	96.6%	97.9%	56.4%	52.4%	51.9%	51.1%
2014	90.4%	94.8%	93.7%	94.2%	56.0%	53.8%	53.9%	53.2%
2015	96.7%	95.3%	95.5%	94.3%	51.9%	52.7%	52.7%	53.3%
2016	96.8%	96.9%	96.9%	96.8%	52.1%	51.8%	51.7%	51.7%
2017	95.9%	95.1%	95.0%	95.0%	52.5%	53.3%	52.9%	52.9%
2018	95.2%	96.6%	96.7%	97.3%	52.9%	52.1%	51.8%	52.8%
2019	89.5%	93.8%	94.6%	95.3%	55.8%	53.7%	52.8%	52.8%
2013-2019	95.0%	95.7%	95.9%	95.9%	53.1%	52.5%	52.3%	52.3%

Notes

The number of referrals when USCIS is a source = USCIS (single source) + .5 x Third Party (single source) + .75 x Indeterminate (single source).

The number of referrals when Third Party is a source = Third Party (single source) + .5 x USCIS (single source) + .5 x Indeterminate (single source).

TABLE 23

ESTIMATED SOURCES OF NATIONAL SECURITY CONCERNS RESULTING IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR N-400 APPLICANTS
Muslim Status Based on Birth Country

Fiscal Year	Percent of Referrals Where Third Agency Information is a Source				Percent of Referrals Where USCIS Information is a Source			
	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7
	Muslim	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries
2013	100.0%	97.2%	96.3%	97.1%	50.0%	51.4%	51.8%	51.4%
2014	96.8%	96.1%	96.3%	95.4%	51.6%	52.2%	52.1%	52.5%
2015	97.3%	97.7%	97.6%	97.0%	51.5%	51.3%	51.4%	51.5%
2016	98.5%	98.3%	98.3%	98.7%	50.8%	50.9%	50.9%	50.7%
2017	87.3%	97.0%	97.9%	97.7%	56.6%	51.6%	51.0%	51.2%
2018	88.4%	96.0%	96.4%	96.4%	55.8%	52.1%	52.0%	51.8%
2019	92.5%	94.7%	94.4%	94.5%	54.1%	52.6%	52.8%	52.8%
2013-2019	91.3%	96.7%	97.0%	96.8%	54.5%	51.7%	51.6%	51.7%

Notes

The number of referrals when USCIS is a source = USCIS (single source) + .5 x Third Party (single source) + .75 x Indeterminate (single source).

The number of referrals when Third Party is a source = Third Party (single source) + .5 x USCIS (single source) + .5 x Indeterminate (single source).

Tables 22 and 23 show that

- (i) With respect to N-400 applications, a Third Agency source is almost always (almost 97% of the time) a source supporting the application referral to CARRP for applicants born in a Muslim country. A Third Agency is similarly (but slightly less frequently) a dominant source for referral of non-Muslims (approximately 91% of the time). USCIS is also a referral source slightly more than half the time, and slightly more frequently for applications from applicants born in non-Muslim countries.
- (ii) However, starting in FY 2017, concurrent with the issuance of the Executive Orders, the USCIS becomes a slightly more frequent source for information relevant for referral of N-400 applications from applicants born in a non-Muslim country, and a Third Agency becomes a slightly less frequent source of such

information. Thus, to the extent that the source of agency information supporting the referral to CARRP changed at all as a result of the Executive Orders, the data indicates that although the sources remained constant over time for the Muslim population, a Third Agency was slightly less frequently cited and USCIS was slightly more frequently cited for applications from applicants from non-Muslim countries among applications received in or after FY 2017 (the fiscal year in which the Executive Orders were issued). However, what did not change is that a Third Agency is almost always a source for referral to CARRP, and USCIS is a source slightly less than half of the time for either non-Muslim or Muslim applicants.

- (iii) With respect to I-485 applications, the sources of the information supporting referral to CARRP are very similar regardless of whether the applicant was born in a non-Muslim country or a Muslim country. Approximately 95% of the time, a Third Agency was a source of the information supporting referral to CARRP. Approximately 52% of the time, USCIS was a source of information supporting referral to CARRP, irrespective of Muslim status.
- (iv) With respect to I-485 applicants, the likelihood of the USCIS or a Third Agency being a source of information for referral to CARRP remains fairly consistent for non-Muslim and Muslim applicants, and is inconsistent with an allegation that the Executive Orders altered the source of information used to support the referral to CARRP, or that a change in sources was related to Muslim status. The pattern of the data indicates that the issuance of the Executive Orders had no impact on

which agency sources supplied information relevant to the decision to refer an application to CARRP.

TABLE 22.1
ESTIMATED FIRST OR ONLY SOURCE OF NATIONAL SECURITY CONCERN INFORMATION
RESULTING IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR I-485
APPLICANTS

Muslim Status Based on Birth Country

Fiscal Year	Estimated Percent of Applications were First Source was Third Agency				Estimated Percent of Applications were First Source was USCIS			
	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7
	Muslim	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries
2013	85.1%	90.3%	90.5%	91.8%	14.9%	9.7%	9.5%	8.2%
2014	83.9%	88.4%	87.3%	88.1%	16.1%	11.6%	12.7%	11.9%
2015	90.5%	89.0%	89.3%	88.1%	9.5%	11.0%	10.7%	11.9%
2016	90.6%	90.8%	90.8%	90.7%	9.4%	9.2%	9.2%	9.3%
2017	89.7%	88.8%	88.8%	88.8%	10.3%	11.2%	11.2%	11.2%
2018	89.0%	90.4%	90.6%	91.0%	11.0%	9.6%	9.4%	9.0%
2019	83.1%	87.6%	88.5%	89.1%	16.9%	12.4%	11.5%	10.9%
TOTAL	88.7%	89.5%	89.8%	89.8%	11.3%	10.5%	10.2%	10.2%

NOTE

The number of referrals where USCIS is initial source: Total referrals - estimated cases where Third Agency was first source.

The number of referrals where Third Party is initial source is: $0.94 \times \text{Third Party (single source)} + .438 \times \text{Indeterminate (single source)} + .333 \times \text{USCIS (single source)}$.

TABLE 23.1
ESTIMATED FIRST OR ONLY SOURCE OF NATIONAL SECURITY CONCERN INFORMATION
RESULTING IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR N-400
APPLICANTS
Muslim Status Based on Birth Country

Fiscal Year	Estimated Percent of Applications were First Source was Third Agency				Estimated Percent of Applications were First Source was USCIS			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	94.0%	91.1%	90.3%	91.1%	6.0%	8.9%	9.7%	8.9%
2014	90.8%	89.9%	90.1%	89.3%	9.2%	10.1%	9.9%	10.7%
2015	91.2%	91.6%	91.5%	91.0%	8.8%	8.4%	8.5%	9.0%
2016	92.4%	92.3%	92.3%	92.7%	7.6%	7.7%	7.7%	7.3%
2017	81.2%	91.0%	91.8%	91.6%	18.8%	9.0%	8.2%	8.4%
2018	82.3%	90.0%	90.3%	90.4%	17.7%	10.0%	9.7%	9.6%
2019	86.3%	88.6%	88.4%	88.4%	13.7%	11.4%	11.6%	11.6%
TOTAL	85.2%	90.7%	90.9%	90.8%	14.8%	9.3%	9.1%	9.2%

NOTE

The number of referrals where USCIS is initial source: Total referrals - estimated cases where Third Agency was first source.

The number of referrals where Third Party is initial source is: $0.94 \times \text{Third Party (single source)} + .438 \times \text{Indeterminate (single source)} + .333 \times \text{USCIS (single source)}$.

Tables 22.1 and 23.1 show that:

- (i) With respect to I-485 or N-400 applications referred to CARRP, irrespective of whether the applicant was born in a Muslim country or a non-Muslim country, a Third Agency (not USCIS) was the first or only agency source supplying information that the applicant may be a national security concern in 9 out of 10 cases. Moreover, to the extent that the role of USCIS as the first or only source changed after FY 2016, it was only to increase the number of referrals of non-Muslim applicants. This stands in direct contradiction of Plaintiffs' allegation that the Executive Orders under the

current administration resulted in extreme vetting aimed at Muslim applicants. There is little evidence of any new extreme vetting, and clearly none aimed at applicants from Muslim populations, or the EO 7 countries.

3. Comparison of CARRP and Non CARRP applicants with regard to approval and denial by Muslim status and comparison of time to adjudication and time to approval among CARRP applicants by Muslim status

I have examined the outcomes to determine if there are any differences by Muslim status, and I have compared the results by FY cohorts over time to see if the data indicates any changes in the pattern of outcomes consistent with Plaintiffs' allegation regarding the impact of extreme vetting. I first looked at the difference in approval rates among those adjudicated over the complete time period from FY 2013 - FY 2019. Table 24 presents the results for I-485 applicants and Table 25 presents the results for N-400 applicants. I computed the approval rate among those adjudicated by Muslim status, using two common measures of disparate impact. One is the difference in the approval rate of the control group (non-Muslim) and the Muslim groups. A positive number means the approval rate is higher for non-Muslims. I also computed the relative difference in the approval rate of applications of applicants born in Muslim countries, divided by the approval rate of Non-Muslims. This is referred to as the 80% rule,⁴¹ and a ratio less than 100% means the rate for approval is higher for non-Muslims. As a rule of thumb, ratios

⁴¹ The 80% rule put forth in the Uniform Guidelines for Employee Selection Procedures (See 43 FR 38290, et seq. (Aug. 25, 1978) and 43 FR 40223 (Sept. 11, 1978)) is a commonly used measure to assist the Court in determining if a difference is meaningful and valid statistical evidence of disparate impact. The decision of whether a disparity is large enough to be meaningful (of practical significance) is a judgment call which is ultimately up to the Court. Statistics such as the 80% rule or the gap between approvals and denials are offered only as an aid to the Court in making such a decision, normally based on the totality of the information available to the Court.

below 80% (or above 120%) are considered meaningful and represent statistical evidence of disparate impact; differences that pass the 80% rule (i.e., within the 80% to 120% range) are not valid evidence of disparate impact.

TABLE 24

**COMPARISON OF APPROVAL RATES BY MUSLIM STATUS FYs 2013-2019
FORM I-485 APPLICANTS
Muslim Status Based On Birth Country**

CARRP Status	NUMBER OF APPLICATIONS				APPROVAL RATE			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	1,292	2,353	2,113	1,464	75.2%	75.6%	76.7%	80.1%
Not CARRP	3,325,843	489,039	352,602	200,805	93.3%	92.9%	94.9%	97.3%
ALL	3,327,135	491,392	354,715	202,269	93.3%	92.8%	94.8%	97.2%

CARRP	APPROVAL GAP			RELATIVE DIFFERENCE (80% RULE)		
	>=50% Muslim	>=90% Muslim	EO 7 Counties	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	-0.4%	-1.5%	-4.9%	100.5%	102.0%	106.5%
Not CARRP	0.5%	-1.6%	-4.0%	99.5%	101.7%	104.3%
ALL	0.5%	-1.5%	-3.9%	99.4%	101.6%	104.2%

TABLE 25

**COMPARISON OF APPROVAL RATES BY MUSLIM STATUS FYs 2013-2019
FORM N-400 APPLICANTS
Muslim Status Based On Birth Country**

CARRP Status	NUMBER OF APPLICATIONS				APPROVAL RATE			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	2,147	3,916	3,360	1,946	83.4%	73.4%	73.5%	72.5%
Not CARRP	4,522,438	746,143	496,233	238,648	92.1%	90.2%	90.2%	89.1%
ALL	4,524,585	750,059	499,593	240,594	92.1%	90.1%	90.1%	89.0%

CARRP Status	APPROVAL GAP			RELATIVE DIFFERENCE (80% RULE)		
	>=50% Muslim	>=90% Muslim	EO 7 Counties	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	10.0%	9.9%	10.9%	88.0%	88.2%	86.9%
Not CARRP	1.9%	1.9%	3.0%	97.9%	98.0%	96.8%
ALL	2.0%	2.0%	3.1%	97.8%	97.8%	96.6%

Tables 24 and 25 show that

- (i) With respect to the I-485 applicants, there is essentially no difference in outcomes for applications from applicants born in non-Muslim countries and Muslim countries (either majority Muslim, predominantly Muslim, or EO 7 countries). The slight difference by Muslim status in approval rates that occur are essentially the same among CARRP applications as among non-CARRP applications.
- (ii) With respect to N-400 applicants, the difference in rates of approval of non-Muslims and Muslims processed through CARRP is more pronounced, with the approval rate of all the Muslim groups being lower than the approval rates of non-Muslims. However, the differences in approval rates between non-Muslims and

the various Muslim groups processed through CARRP are still small, and the relative differences would pass the 80% rule test. Moreover, this data is inconsistent with Plaintiffs' allegation that applications from applicants born in Muslim countries are more likely than applications from applicants born in non-Muslim countries to be referred to CARRP when they are not actually a national security concern and would be subsequently approved but delayed in the process. Assuming that most applications referred to CARRP that were approved are not a national security concern, Plaintiffs' allegation would imply that the approval rate should be higher for Muslim applications.⁴²

I next studied the length of time from application to adjudication separately for I-485 and N-400 applicants by FY for those processed thorough CARRP, comparing the time to adjudication for applicants from non-Muslim countries to the time to adjudication for applicants from (i) countries that are majority Muslim, (ii) predominately Muslim countries (90%), and (iii) the EO 7 countries. Table 26 summarizes these results for the I-485 applicants, and Table 27 summarizes these results for the N-400 applicants.

⁴² This assumes that applicants who are actually of national security concern are more likely than applicants who are not of national security concern to have their applications denied. This also assumes that reasons for being ineligible for the benefit other than national security concerns are the same regardless of whether the applicant is actually a national security concern, and that the decision to approve or deny the application for immigration benefits is not impacted by one's country of birth or citizenship.

TABLE 26

**TIME TO ADJUDICATION AMONG I-485 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)
Muslim Status Based on Country of Birth**

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	<50%	7	15	73	>=50%	9	23	56
2014	<50%	19	45	63	>=50%	13	35	58
2015	<50%	28	37	47	>=50%	27	37	49
2016	<50%	21	27	37	>=50%	21	27	37
2017	<50%	17	23	30	>=50%	17	22	30
2018	<50%	13	18	23	>=50%	13	19	23
2019	<50%	11	N/A		>=50%	11	N/A	

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	>=90%	9	23	55	E0 7	10	24	55
2014	>=90%	14	36	58	E0 7	17	32	55
2015	>=90%	27	37	48	E0 7	25	37	49
2016	>=90%	21	27	36	E0 7	20	25	34
2017	>=90%	17	22	29	E0 7	17	21	28
2018	>=90%	13	19	23	E0 7	13	19	23
2019	>=90%	11	N/A		E0 7	11	N/A	

Notes

Except if noted in green, time to adjudication for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

 The time to adjudication is quicker than that of non-Muslim population.

TABLE 27

**TIME TO ADJUDICATION AMONG N-400 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)
Muslim Status Based on Country of Birth**

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	<50%	9	20	63	>=50%	9	23	65
2014	<50%	20	42	57	>=50%	20	43	55
2015	<50%	30	41	52	>=50%	28	35	46
2016	<50%	21	27	34	>=50%	21	27	34
2017	<50%	19	25	31	>=50%	18	23	29
2018	<50%	14	18	23	>=50%	13	17	23
2019	<50%	10	>11		>=50%	11	N/A	

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	>=90%	9	22	66	E0 7	8	22	64
2014	>=90%	20	43	56	E0 7	18	40	52
2015	>=90%	28	35	44	E0 7	27	34	44
2016	>=90%	22	27	35	E0 7	22	27	34
2017	>=90%	18	22	28	E0 7	18	22	27
2018	>=90%	13	17	>23	E0 7	13	16	>23
2019	>=90%	11	N/A		E0 7	11	N/A	

Notes

Except if noted in green, time to adjudication for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

■ The time to adjudication is quicker than that of non-Muslim population.

■ Adverse to Muslim (longer).

The tables present for each fiscal year cohort by Muslim status (i) the number of months until 25% of the applicants were adjudicated, (ii) the number of months until 50% of the applicants

were adjudicated (i.e., the median time), and (iii) the number of months until 75% of the applicants were adjudicated. The Tables show that

(i) With respect to I-485 applications for non-Muslims and (a) applicants born in Muslims countries, (b) applicants born in predominately Muslim countries, and (c) applicants born in one of the EO 7 countries who applied in the same FY, the distribution of the number of months until a percentage of cases are adjudicated is very similar. While the time lag to adjudication changes over time, the differences between the non-Muslims and Muslim groups remained fairly constant and similar. I statistically tested the hypothesis that the distribution of time lags to decision would be the same for each Muslim status group as for the non-Muslim group, using the 5% statistical benchmark to determine statistical significance.⁴³ There was a statistically significant difference in only one case for I-485 applicants: FY 2017 applicants from the EO 7 countries were adjudicated more quickly than applicants from non-Muslim countries. These findings are inconsistent with the allegation that Muslims in CARRP were processed differently in terms of time to decisioning, and that alleged extreme vetting had a disproportionate effect of delaying time to adjudication for applicants born in Muslim countries.

(ii) With respect to N-400 applications there was a statistically significant difference in seven cases, but in all but one case (FY 2019 applications from countries with a 90% Muslim population) the applications for applicants from Muslim countries were adjudicated more quickly than those from the non-Muslim countries. These findings are inconsistent with the allegation

⁴³ This is consistent with the two standard deviations level defined by the Supreme Court as determining when differences are statistically significant. In *Hazelwood School District v. United States*, 433 U.S. 299, 311 n.14 (1977), the Supreme Court relied upon a two to three standard deviations difference: "If the difference between the expected value and observed number is greater than two or three standard deviations, then the hypothesis that teachers were hired without regard to race would be suspect."

that Muslims in CARRP were processed differently in terms of time to decisioning, and that alleged extreme vetting had a disproportionate effect of delaying the time to adjudication for those born in Muslim countries.

I did a similar analysis, but studied time to approval rather than time to adjudication, to determine if Muslims who were processed in CARRP and approved had to wait longer for approval than non-Muslims. Table 28 present the results for I-485 approved CARRP applicants, and Table 29 presents the results for N-400 approved CARRP applicants.

TABLE 28

**TIME TO APPROVAL AMONG I-485 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)
Muslim Status Based on Country of Birth**

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	<50%	6	8	11	>=50%	6	12	23
2014	<50%	10	36	50	>=50%	9	18	46
2015	<50%	27	32	41	>=50%	26	34	42
2016	<50%	20	23	30	>=50%	20	24	31
2017	<50%	16	20	24	>=50%	16	19	23
2018	<50%	9	13	16	>=50%	10	13	17
2019	<50%	4	7	8	>=50%	5	7	8

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	>=90%	6	12	23	E0 7	6	13	24
2014	>=90%	10	24	47	E0 7	12	27	52
2015	>=90%	26	34	42	E0 7	24	34	42
2016	>=90%	20	24	31	E0 7	19	23	30
2017	>=90%	16	19	23	E0 7	16	19	23
2018	>=90%	11	13	17	E0 7	11	14	17
2019	>=90%	5	7	8	E0 7	5	7	8

Notes

Except if noted in green, time to approval for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

TABLE 29

**TIME TO APPROVAL AMONG N-400 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)
Muslim Status Based on Country of Birth**

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	<50%	5	9	58	>=50%	8	26	59
2014	<50%	38	42	53	>=50%	36	45	53
2015	<50%	30	36	46	>=50%	30	36	43
2016	<50%	21	25	30	>=50%	21	24	30
2017	<50%	17	21	25	>=50%	17	20	24
2018	<50%	11	14	16	>=50%	11	13	16
2019	<50%	6	8	9	>=50%	6	8	9

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	>=90%	8	15	56	E0 7	8	15	26
2014	>=90%	34	42	52	E0 7	34	43	50
2015	>=90%	30	36	43	E0 7	30	34	42
2016	>=90%	21	24	30	E0 7	21	25	30
2017	>=90%	17	20	24	E0 7	17	20	23
2018	>=90%	11	13	16	E0 7	11	13	15
2019	>=90%	6	8	9	E0 7	6	8	9

Notes

Except if noted in green, time to approval for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

 The time to approval is quicker than that of non-Muslim population.

Tables 28 and 29 show that

- (i) With respect to I-485 applications, on average applications that are approved wait the same time for approval, irrespective of whether the applications are from applicants born in Muslim or non-Muslim countries. The amount of time an applicant would be expected to have to wait for an approval was the same (i.e., not statistically significantly different in any case) regardless of whether an applicant was born in a Muslim country or a non-Muslim country.
- (ii) With respect to N-400 applicants, it is clear that the differences in time to approval are slight in all cases -- and not statistically significantly different in most cases. Moreover, when the differences are significant, Muslims are processed faster. Clearly, the time a Muslim applicant would be expected to wait for approval is no longer than the time an applicant born in a non-Muslim country would be expected to wait for approval.

Finally, I computed and compared separately by FY in which the application was received, the approval rate of I-485 and N-400 applicants by Muslim status (i.e., comparing non-Muslims and the various Muslim groups). Table 30 presents the results for I-485 applicants, and Table 31 presents the results for N-400 applicants.

TABLE 30

**COMPARISON OF APPROVAL RATES BY FISCAL
YEAR APPLIED AND MUSLIM STATUS
I-485 APPLICANTS
Muslim Status Based on Country of Birth**


	Approval Rates by Muslim Status			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	55.07%	50.69%	52.80%	52.17%
2014	39.44%	49.31%	49.14%	47.44%
2015	56.80%	60.31%	61.43%	63.68%
2016	63.99%	64.19%	65.62%	69.61%
2017	56.22%	56.91%	59.37%	62.63%
2018	40.69%	41.91%	42.42%	46.95%
2019	6.70%	8.66%	9.90%	10.59%


The time to adjudication is quicker than that of non-Muslim population.

TABLE 31

**COMPARISON OF APPROVAL RATES BY FISCAL
YEAR APPLIED AND MUSLIM STATUS
N-400 APPLICANTS
Muslim Status Based on Country of Birth**

	Approval Rates by Muslim Status			
	<50%	>=50%	>=90%	EO 7
	Muslim	Muslim	Muslim	Countries
2013	33.33%	17.05%	19.12%	8.57%
2014	36.73%	31.28%	30.65%	28.33%
2015	52.76%	47.95%	48.37%	49.44%
2016	71.57%	64.68%	64.92%	65.67%
2017	59.35%	59.44%	61.22%	61.72%
2018	40.51%	44.96%	44.09%	46.46%
2019	12.62%	8.63%	8.35%	8.20%

 The time to adjudication is quicker than that of non-Muslim population.

 Adverse to Muslim (longer).

Tables 30 and 31 show that

- (i) With respect to I-485 applicants, the approval rate in each FY for non-Muslims who applied in that FY is not statistically significantly different from the approval rate of any of the Muslim groups (except that among applications received in FY 2017, the approval rate for Muslims from EO 7 countries is statistically significantly higher than that of applications from applicants born in non-Muslim countries).
- (ii) With respect to N-400 applicants, the data indicates that for applications received before FY 2016 and processed through CARRP, the rate of approval for applications in the fiscal year received from applicants born in non-Muslim

countries was the same as that for applications from applicants born in Muslim countries (except in FY 2013, where the approval rate for applications from applicants who were born in one of the EO 13769 countries was lower). Among applications received in FY 2016, the rates of approval of applications from applicants born in Muslim countries was statistically significantly lower than the rates of approval of applications from applicants born in non-Muslim countries. This pattern inverts when looking at applications received in subsequent fiscal years. In FY 2017, there is no statistically significant difference in approval rates of applications from non-Muslim and Muslim countries. In FY 2018, the rate of approval is higher for applications received from applicants born in a Muslim country, but in FY 2019 the pattern inverts, and the approval rate of applications received from applicants born in Muslim countries is lower.

IV. SUMMARY OF FINDINGS

1. The relative and absolute number of I-485 and N-400 applications processed under CARRP from FY 2013 through FY 2019 is very small, well below 1%. Only 0.12% or 5,642 of the 4,640,420 I-485 applications were processed pursuant to the CARRP policy, and only 0.16% or 9,561 out of 5,965,551 N-400 applications were processed under CARRP. For the combined total of 10,605,971 applications, only 0.14% or 15,203 were processed pursuant to the CARRP policy – which is about one of every 700 applications.
2. Almost all referrals to CARRP for I-485 and N-400 applicants are supported by information from Third Agencies (Agencies other than USCIS), which has been true consistently both pre- and post-the present administration. The frequency of USCIS

being an additional source of information (most often in combination with Third Agency information) for the referral of applications to CARRP (slightly less than half the time when considering also cases for which Third Agency information is also a basis for the referral, but usually less than 2% and closer to 1% when only USCIS information is the basis for referral) also has remained consistent pre- and post-the current administration.

3. The increase in relative terms of the percentage of applications referred to CARRP starts with FY 2015 for I-485 applicants and with FY 2014 for N-400 applicants. The number of I-485 and N-400 applications increased sharply in 2016 and has remained at the higher levels. The present statistical analysis cannot tie a specific reason to the increase in referral of applications to CARRP or the pattern of change over time. The increase in referrals and pattern of change over time may be linked to any number of unexamined factors not addressed here, acting independently or in concert, including but not limited to, trends in the applications received, changes in global patterns of terrorist activity, and reactions and responses to security incidents in the United States and worldwide.
4. There is no valid statistical evidence that I-485 application referrals to CARRP have markedly increased during the current administration. The process of referral to CARRP seems unchanged under the current administration and any growth might be associated with identifiable and unidentifiable factors or reasons other than the current administration actions, including, but not limited to, a continuing response to or concern for terrorist activity. However, the statistical data with respect to N-400 applicants does show an increase in referrals coincidental with the current

administration, which would support a statistical inference that the increase for N-400 applications may be a response not only to terrorist activity, but also to other factors not identifiable here, and, as a theoretical possibility (i.e., not statistically excluded), that the current administration's emphasis on "extreme vetting," was adopted by CARRP.

5. While slightly more than three-quarters of the applicants processed through CARRP are approved, those processed through CARRP are significantly more likely than those not processed through CARRP to be denied. Further, it takes markedly longer for an application processed through CARRP than for an application not processed through CARRP to be adjudicated (even if approved).
6. There is no valid statistical evidence (based on examining the outcomes pre- and post- Executive Order 13769) that for applications processed through CARRP the likelihood of approval, or the time lag to adjudication, or the time lag to approval changed as a result of the EO.
7. The relative and absolute numbers of I-485 and N-400 applications submitted by individuals born in Muslim majority countries and processed under CARRP from FY 2013 through FY 2019 is small. Only 0.63% or 3,416 of the 545,485 I-485 applications of applicants from Muslim majority countries and 0.76 or 5,793 of the 763,376 N-400 applications of applicants from Muslim majority countries were processed through CARRP. Out of a total of 1,308,861 applications for applicants from Muslim majority countries, only 0.70% or 9,209 were processed through CARRP, providing statistical evidence against Plaintiffs' apparent premise that the CARRP program is intended and designed to deny immigration benefits to Muslim

applicants. Nevertheless, I-485 and N-400 applicants from Muslim countries are significantly more likely than those from non-Muslim countries to be referred to CARRP, overall and in every fiscal year. This impact is, of course, limited to the very small percentage of applicants from Muslim majority countries whose applications are processed pursuant to the CARRP policy.

8. However, the disparate impact of the CARRP process on applicants born in any Muslim majority country, or any predominately Muslim country, or any EO 7 country, is evident from the beginning of the time period studied, FY 2013 to FY 2019, without any data suggesting an intended impact. Over time, the pattern of changes in applications referred to CARRP is similar for non-Muslims and all Muslim groups (majority Muslim, predominately Muslim, and EO 7). While the pattern is the same, the magnitude of the increases and number of referrals is greater for applicants from Muslim majority countries. This would be expected, since the initial number of those processed through CARRP is higher for applicants from Muslim majority countries. That is, when a number is doubled, the doubled value is greater for the larger group than for the smaller group (e.g., if group A is 5 and group B is 10, and we double both groups, then group A becomes 10 and group B becomes 20; the arithmetic difference between the groups increases and the magnitude of the change is larger for group B, though proportionately remains the same at a 1:2 ratio). When we look at the relative percentage changes (that is, the percentage change from fiscal year to fiscal year), we find that not only is the pattern the same by Muslim status, but the magnitude of change is also the same. Thus, there is no statistical support for the Plaintiffs' allegation that alleged extreme vetting due to the executive

orders issued by President Trump actually increased the disproportionate effect on Muslims in the CARRP process.

9. Comparing outcomes by Muslim status overall, and comparing changes over time (particularly pre- and post- EO 13769) provides no evidence to support a theory that applicants from Muslim majority countries were targeted simply because they were Muslim or from Muslim majority countries. Nor is there evidence that the process of USCIS referrals to CARRP was altered to target Muslims, or that applicants from Muslim majority countries were targeted as a result of the alleged extreme vetting detailed by the Executive Order. Specifically:
 - a) Regardless of Muslim status, almost 95% of all those referred to CARRP were referred at least in part due to information from Third Agencies, and this pattern was consistent over time;
 - b) With respect to I-485 or N-400 applications referred to CARRP, irrespective of whether the applicant was born in a Muslim country or a non-Muslim country, in 9 out of 10 cases a Third Agency (and not USCIS) was the first or only agency source supplying information that the applicant may be a national security concern. Moreover, to the limited extent that the role of USCIS as the first or only source changed after FY 2016, it was only to increase the number of referrals of non-Muslim applicants, which stands in direct contradiction of Plaintiffs' allegation that the Executive Orders under the current administration resulted in extreme vetting aimed at Muslim applicants. There is little evidence of an impact of any new extreme vetting and clearly no evidence that any

extreme vetting was aimed at applicants from Muslim populations, or the EO 7 countries. To the contrary, to the limited extent to which it exists, the increase is in referrals of applicants from non-Muslim countries;

- c) The approval rate overall among those adjudicated in CARRP was not meaningfully different (i.e., statistically significant) irrespective of whether the applicant was born in a majority Muslim country, a predominately Muslim country, or one of the seven EO 13769 countries;
- d) The rate of approval was not meaningfully different (i.e., without statistical significance) irrespective of whether the applicant was born in a majority Muslim country, a predominately Muslim country, or one of the seven EO 13769 countries or was a non-Muslim processed pursuant to the CARRP policy and applied in the same FY. This was true for most all fiscal years and there is no meaningful change over time, which is inconsistent with and contradicts the Plaintiffs' theory that the extreme vetting targeted Muslims and increased the disproportionate effect;
- e) The time to adjudication for non-Muslims and applicants born in a majority Muslim country, a predominately Muslim country, or one of the seven EO 13769 countries was the same, and this was true for all fiscal years prior to and during the current administration (to the extent a difference was found, it almost always favored the applicants born in a majority Muslim country, a predominately Muslim country, or one of the seven EO 13769 countries); and

- f) The time to approval for applicants born in a majority Muslim country, a predominately Muslim country, or one of the seven EO 13769 countries was the same as the time to approval for non-Muslim applicants, and this was true for all fiscal years prior to and during the current administration (to the extent a difference was found, it almost always favored the applicants born in a majority Muslim country, a predominately Muslim country, or one of the seven EO 13769 countries).



Bernard R. Siskin, Ph.D.

Dated: February 28, 2020

APPENDIX A

BLDS, LLC

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SUMMARY

Bernard Siskin received his B.S. degree in Mathematics from the University of Pittsburgh and a Ph.D. in Statistics from the University of Pennsylvania. For many years, he taught statistics at Temple University and served as Chairman of the Department of Statistics.

Dr. Siskin has specialized in the application of statistics in law, particularly in the area of analyzing data for statistical evidence of discrimination. He has testified for both plaintiffs and defendants in more than 200 cases, many of which were large employment class actions. In addition to discrimination studies, he has conducted statistical studies and has testified in commercial and environmental cases involving statistical issues.

Dr. Siskin has frequently been appointed by federal judges as a neutral expert to aid the court in statistical issues and he was the statistical consultant to the Third Circuit Court of Appeals Task Force on Equal Treatment in the Courts. I was also appointed by the Court as an Expert to measure the accuracy of the CCC vehicle valuation methodology and I suggested possible modifications to the methodology.

Dr. Siskin is the author of many articles and textbooks on statistics and quantitative techniques including *Elementary Business Statistics*, *Encyclopedia of Management* and *Quantitative Techniques for Business Decisions*. He has also written and lectured extensively on the use of statistics in litigation.

He has served as a statistical consultant to the U.S. Department of Justice, the Equal Employment Opportunity Commission, the U.S. Department of Labor, the Federal Bureau of Investigation, the Central Intelligence Agency, the Environmental Protection Agency, the National Aeronautics and Space Administration, Consumer Financial Protection Bureau (CFPB), OFCCP and Fannie Mae (the Federal National Mortgage Association) and Freddie Mac (the Federal Home Loan Mortgage Corporation), as well as numerous other federal, state and city agencies and Fortune Five Hundred corporations.

BLDS, LLC

EDUCATION

University of Pennsylvania
Ph.D., Statistics (Minor, Econometrics), 1970

University of North Carolina
Graduate Study (Major, Economics; Minor, Statistics), 1966

University of Pittsburgh
B.S., Mathematics (Minor, Economics), 1965

PRESENT POSITION

BLDS, LLC, Director, 2011

TEACHING EXPERIENCE

Temple University, Adjunct Professor of Law School, 1992 to 2005
Temple University, Tenured Associate Professor of Statistics, 1973 to 1984
Temple University, Chairman-Department of Statistics, 1973 to 1978
Temple University, Assistant Professor of Statistics, 1970 to 1973
Temple University, Instructor of Statistics, 1968 to 1970

OTHER POSITIONS HELD

LECG, Director, 2003 to 2011
Center for Forensic Economic Studies, Senior Vice President, 1991 to 2003
National Economic Research Associates, Inc., Senior Vice President, 1989 to 1991
National Economic Research Associates, Inc., Vice President, 1986 to 1989
Center for Forensic Economic Studies, Ltd., President, 1984 to 1986
Center for Forensic Economic Studies, Ltd., Consultant, 1980 to 1984

PUBLICATIONS

Books

1. B. Siskin and N. Schmidt, "Proper Methods for Statistical Analysis of Promotions," *Adverse Impact Analysis: Understanding Data, Statistics, and Risk*, Psychology Press, 2017, S. Morris and E. Dunleavy, eds.
2. B. Siskin, "Employment Discrimination Litigation: Behavioral, Quantitative, and Legal Perspectives" John Wiley & Sons, Inc. 2005, Chapter 5 *Statistical Issues in Litigation* (with Joseph Trippi).
3. B. Siskin, "Use of Statistical Models to Provide Statistical Evidence of Discrimination in the Treatment of Mortgage Loan Applicants: A Study of One Lending Institution," *Mortgage Lending, Racial Discrimination and Federal Policy*, Urban Institute Press, 1996, J. Georing and R. Wienk, eds.
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Articles

1. B. Siskin and D. Griffin, "Litigating Employment Discrimination & Sexual Harassment Claims," *Litigation Handbook Series*, 2002.
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7. B. Siskin, R. DuPont, D. Griffin, S. Shiraki, and E. Katze "Random Workplace Drug Testing. Does It Primarily Identify Casual or Regular Drug Users?," *Employment Testing Law & Policy Reporter*, Vol. 4, Number One, 1995.
8. B. Siskin, R. DuPont, D. Griffin, S. Shiraki, and E. Katze "Random Drug Tests at Work: The Probability of Identifying Frequent and Infrequent Users of Illicit Drugs," *Journal of Addictive Diseases*, Vol. 14, Number 3, 1995.
9. B. Siskin, J. Staller, B. Sullivan and L. Freifelder, "Litigating Employment Discrimination Cases," *Litigation Course Handbook Series*, 1995.
10. B. Siskin, "Comparing the Role of Statistics In Lending and Employment Cases," *Fair Lending Analysis: A Compendium of Essays on the Use of Statistics*, American Bankers Association, 1995.
11. B. Siskin, "Relationship Between Performance and Banding," *Human Performance*, Vol. 8, No. 3, July 1995.
12. B. Siskin, "Statistical Issues in Litigating Employment Discrimination Claims," *Federal Publications*, 1993.
13. B. Siskin, "Use of Statistical Models to Provide Statistical Evidence of Discrimination in the Treatment of Mortgage Loan Applicants: A Study of One Lending Institution," *Discrimination and Mortgage Lending Research and Enforcement Conference* Department of Housing and Urban Development, May 1993.

BLDS, LLC

SPEECHES (Partial List)

1. Alabama Bar Association
2. American Bar Association
3. American Financial Services Association
4. American Statistical Association
5. Defense Research Institute
6. Federal Bar Association
6. Harvard University
7. Institute of Industrial Research
8. International Organization of Human Rights Association
9. Law Education Institute
10. Law Enforcement Assistance Administration
11. Michigan Bar Association
12. National Center on Aging
13. Ohio Bar Association
14. Penn State University
15. Pennsylvania Human Relations Commission
16. Practising Law Institute
17. Security Industry Association
18. Women's Law Caucus: National Conference

STATISTICAL CONSULTANT (Partial List)

1. Attorney General's Office of the Commonwealth of Pennsylvania, and states of California, Oregon, Massachusetts, Connecticut, Mississippi, Louisiana and New Jersey
2. Board of Higher Education for Massachusetts and Oregon
3. Central Intelligence Agency (CIA)
4. Environmental Protection Agency (EPA)
5. Equal Employment Opportunity Commission (EEOC)
6. Federal Bureau of Investigation (FBI)
7. Freddie Mac (Federal Home Loan Mortgage Corporation)
7. Fannie Mae (Federal National Mortgage Association)
8. Homeland Security
9. International Organization of Human Rights Associations
10. Municipal Court of Philadelphia
11. National Aeronautics and Space Administration (NASA)
12. Office of Federal Contract Compliance, Department of Labor (OFCCP)
13. Pennsylvania Human Relations Commission
14. Security Exchange Commission
15. Third Circuit Court of Appeals Task Force on Equal Treatment in the Courts
16. U.S. Department of Agriculture
17. U.S. Department of Commerce
18. U.S. Department of Labor
19. U. S. Justice Department
20. Numerous Fortune 500 and other private corporations

Testimony Listing for Bernard R. Siskin, Ph.D.

<i>Date</i>	<i>Case Name</i>	<i>Location</i>	<i>Activity</i>	<i>On Behalf Of</i>
2019	Robertson, et al. v. Valley Communications Center	Philadelphia, PA	Deposition	Plaintiff
2019	Shauna Noel & Emmanuella Senat v. City of New York	New York City, NY	Deposition	Defendant
2019	Tillman Industrial Properties, et al. v. Mercantile Bank	Philadelphia, PA	Deposition	Plaintiff
2019	USA ex rel. Jose R. Valdez v. Aveta, Inc.; et al.	Washington, DC	Deposition	Defendant
2018	Health New, Inc. v. American International	Philadelphia, PA	Deposition	Plaintiff
2018	Kleinsasser v Progressive	Seattle, WA	Trial	Plaintiff
2017	Greater Birmingham Ministries, et al. v. Honorable Joh	Washington, DC	Deposition	Plaintiff
2017	Independent Living Center of Southern CA, et al v City	Washington DC	Deposition	Plaintiff
2017	Marc Daniel Vigna v. Allstate Insurance Company	Philadelphia, PA	Deposition	Plaintiff
2017	Mark Kleinsasser, et al v Progressive Direct Insurance	Philadelphia PA	Declaration	Plaintiff
2016	Brenda Koehler, et al v Infosys Technologies, et al	Washington DC	Deposition	Defendant
2016	City of Miami Gardens v. Wells Fargo & Co, et al.	Philadelphia PA	Declaration	Defendant
2016	David Turk, et al v USAA	Philadelphia PA	Deposition	Plaintiff
2016	US v State of Rhode Island, Rhode Island Department	Washington DC	Deposition	Plaintiff
2016	US v Wells Fargo Bank N.A.	Atlanta GA	Deposition	Defendant
2016	Yolanda McGraw, et al v GEICO	Philadelphia PA	Deposition	Plaintiff

Bernard R. Siskin is being compensated at a rate of \$500.00 per hour for this matter.

APPENDIX B

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
ALGERIA	0	1	1
AMERICAN SAMOA	1	0	0
ANDORRA	1	0	0
ANGOLA	1	0	0
ANGUILLA	1	0	0
ANTARCTICA	0	0	0
ANTIGUA AND BARBUDA	1	0	0
ARABIAN PENINSULA	0	1	0
ARGENTINA	1	0	0
ARMENIA	1	0	0
ARUBA	1	0	0
AUSTRALIA	1	0	0
AUSTRIA	1	0	0
AZERBAIJAN	0	1	1
BAHAMAS, THE	1	0	0
BAHRAIN	0	1	0
BANGLADESH	0	1	0
BARBADOS	1	0	0
BELARUS	1	0	0
BELGIUM	1	0	0
BELIZE	1	0	0
BENIN	1	0	0
BERMUDA	1	0	0
BHUTAN	1	0	0
BOLIVIA	1	0	0
BOSNIA AND HERZEGOVINA	0	1	0
BOTSWANA	1	0	0
BRAZIL	1	0	0
BRITISH INDIAN OCEAN TERRITORY	0	0	0
BRITISH SOLOMON ISLANDS	1	0	0
BRITISH VIRGIN ISLANDS	1	0	0
BRUNEI	0	1	0
BULGARIA	1	0	0
BURKINA FASO	0	1	0
BURMA	1	0	0
BURUNDI	1	0	0
CABO VERDE	1	0	0
CAMBODIA	1	0	0
CAMEROON	1	0	0

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
CAMPBELL ISLAND	1	0	0
CANADA	1	0	0
CANARY ISLANDS	1	0	0
CAPE VERDE	1	0	0
CAYMAN ISLANDS	1	0	0
CENTRAL AFRICAN REPUBLIC	1	0	0
CHAD	0	1	0
CHILE	1	0	0
CHINA	1	0	0
CHRISTMAS ISLAND	1	0	0
COCOS (KEELING) ISLANDS	1	0	0
COLOMBIA	1	0	0
COMOROS	0	1	1
CONGO (BRAZZAVILLE)	1	0	0
CONGO (KINSHASA)	1	0	0
COOK ISLANDS	1	0	0
COSTA RICA	1	0	0
COTE D'IVOIRE	1	0	0
CROATIA	1	0	0
CUBA	1	0	0
CYPRUS	1	0	0
CZECH REPUBLIC	1	0	0
CZECHIA	1	0	0
DENMARK	1	0	0
DJIBOUTI	0	1	1
DOMINICA	1	0	0
DOMINICAN REPUBLIC	1	0	0
EAST GERMANY	1	0	0
ECUADOR	1	0	0
EGYPT	0	1	1
EL SALVADOR	1	0	0
EQUATORIAL GUINEA	1	0	0
ERITREA	1	0	0
ESTONIA	1	0	0
ETHIOPIA	1	0	0
EUROPE	1	0	0
FALKLAND ISLANDS (ISLAS MALVINAS)	1	0	0
FIJI	1	0	0
FINLAND	1	0	0

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
FRANCE	1	0	0
FRENCH GUIANA	1	0	0
FRENCH POLYNESIA	1	0	0
FRENCH SOUTHERN AND ANTARCTIC LANDS	1	0	0
FRENCH SOUTHERN TERRITORIES	1	0	0
GABON	1	0	0
GAMBIA, THE	0	1	1
GEORGIA	1	0	0
GERMAN DEMOCRATIC REPUBLIC	1	0	0
GERMANY	1	0	0
GERMANY, WEST	1	0	0
GHANA	1	0	0
GIBRALTAR	1	0	0
GREECE	1	0	0
GREENLAND	1	0	0
GRENADA	1	0	0
GUADELOUPE	1	0	0
GUAM	1	0	0
GUATEMALA	1	0	0
GUERNSEY	1	0	0
GUINEA	0	1	0
GUINEA-BISSAU	1	0	0
GUYANA	1	0	0
HAITI	1	0	0
HEARD ISLAND AND MCDONALD ISLANDS	1	0	0
HOLY SEE	1	0	0
HONDURAS	1	0	0
HONG KONG	1	0	0
HUNGARY	1	0	0
ICELAND	1	0	0
INDIA	1	0	0
INDONESIA	0	1	0
IRAN	0	1	1
IRAQ	0	1	1
IRELAND	1	0	0
ISLE OF MAN	1	0	0
ISRAEL	1	0	0
ITALY	1	0	0
JAMAICA	1	0	0

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
JAPAN	1	0	0
JORDAN	0	1	1
KAMPUCHEA	1	0	0
KAZAKHSTAN	0	1	0
KENYA	1	0	0
KIRIBATI	1	0	0
KOREA, NORTH	1	0	0
KOREA, SOUTH	1	0	0
KOSOVO	0	0	0
KUWAIT	0	1	0
KYRGYZSTAN	0	1	0
LAOS	1	0	0
LATVIA	1	0	0
LEBANON	0	1	0
LESOTHO	1	0	0
LIBERIA	1	0	0
LIBYA	0	1	1
LIECHTENSTEIN	1	0	0
LITHUANIA	1	0	0
LUXEMBOURG	1	0	0
MACAU	1	0	0
MACEDONIA	1	0	0
MADAGASCAR	1	0	0
MALAWI	1	0	0
MALAYSIA	0	1	0
MALDIVES	0	1	1
MALI	0	1	1
MALTA	1	0	0
MARSHALL ISLANDS	1	0	0
MARTINIQUE	1	0	0
MAURITANIA	0	1	1
MAURITIUS	1	0	0
MAYOTTE	0	1	1
MEXICO	1	0	0
MICRONESIA, FEDERATED STATES OF	1	0	0
MOLDOVA	1	0	0
MONACO	1	0	0
MONGOLIA	1	0	0
MONTENEGRO	1	0	0

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
MONTserrat	1	0	0
MOROCCO	0	1	1
MOZAMBIQUE	1	0	0
NAMIBIA	1	0	0
NAURU	1	0	0
NEPAL	1	0	0
NETHERLANDS	1	0	0
NETHERLANDS ANTILLES	1	0	0
NEW CALEDONIA	1	0	0
NEW ZEALAND	1	0	0
NICARAGUA	1	0	0
NIGER	0	1	1
NIGERIA	0	1	0
NIUE	1	0	0
NORTH VIETNAM	1	0	0
NORTHERN IRELAND	1	0	0
NORTHERN MARIANA ISLANDS	1	0	0
NORWAY	1	0	0
OMAN	0	1	0
PACIFIC ISLANDS	1	0	0
PAKISTAN	0	1	1
PALAU	1	0	0
PALESTINE	0	1	1
PANAMA	1	0	0
PAPUA NEW GUINEA	1	0	0
PARAGUAY	1	0	0
PERU	1	0	0
PHILIPPINES	1	0	0
PITCAIRN ISLANDS	1	0	0
POLAND	1	0	0
PORTUGAL	1	0	0
PUERTO RICO	1	0	0
QATAR	0	1	0
REUNION	0	1	0
ROMANIA	1	0	0
RUSSIA	1	0	0
RWANDA	1	0	0
SAINT BARTHELEMY	1	0	0
SAINT HELENA	1	0	0

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
SAINT KITTS AND NEVIS	1	0	0
SAINT LUCIA	1	0	0
SAINT MARTIN (FRENCH PART)	1	0	0
SAINT PIERRE AND MIQUELON	1	0	0
SAINT VINCENT AND THE GRENADINES	1	0	0
SAMOA	1	0	0
SAN MARINO	1	0	0
SAO TOME AND PRINCIPE	1	0	0
SAUDI ARABIA	0	1	1
SENEGAL	0	1	1
SERBIA	1	0	0
SEYCHELLES	1	0	0
SIERRA LEONE	0	1	0
SINGAPORE	1	0	0
SLOVAKIA	1	0	0
SLOVENIA	1	0	0
SOLOMON ISLANDS	1	0	0
SOMALIA	0	1	1
SOUTH AFRICA	1	0	0
SOUTH SUDAN	0	1	0
SOUTH VIETNAM	1	0	0
SPAIN	1	0	0
SRI LANKA	1	0	0
STATELESS	0	0	0
SUDAN	0	1	1
SURINAME	1	0	0
SVALBARD AND JAN MAYEN	1	0	0
SWAZILAND	1	0	0
SWEDEN	1	0	0
SWITZERLAND	1	0	0
SYRIA	0	1	1
TAIWAN	1	0	0
TAJKISTAN	0	1	1
TANZANIA	1	0	0
THAILAND	1	0	0
TIMOR-LESTE	1	0	0
TOGO	1	0	0
TONGA	1	0	0
TRINIDAD AND TOBAGO	1	0	0

COUNTRY	<50% MUSLIM	>=50% MUSLIM	>=90% MUSLIM
AFGHANISTAN	0	1	1
ALBANIA	0	1	0
TRUST TERRITORY	0	0	0
TUNISIA	0	1	1
TURKEY	0	1	1
TURKMENISTAN	0	1	1
TURKS AND CAICOS ISLANDS	1	0	0
TUVALU	1	0	0
UGANDA	1	0	0
UKRAINE	1	0	0
UNITED ARAB EMIRATES	0	1	0
UNITED ARAB REPUBLIC	0	1	1
UNITED KINGDOM	1	0	0
UNKNOWN	0	0	0
URUGUAY	1	0	0
USSR	1	0	0
UZBEKISTAN	0	1	1
VANUATU	1	0	0
VENEZUELA	1	0	0
VIETNAM	1	0	0
VIRGIN ISLANDS, BRITISH	1	0	0
WALLIS AND FUTUNA	1	0	0
WESTERN SAHARA	0	1	1
WESTERN SAMOA	1	0	0
YEMEN	0	1	1
YUGOSLAVIA	1	0	0
ZAIRE	1	0	0
ZAMBIA	1	0	0
ZANZIBAR	0	1	1
ZIMBABWE	1	0	0

APPENDIX C

TABLE 16
COUNTS OF I-485 APPLICANTS, REFERRAL RATE TO CARRP AND PERCENT CHANGE FROM PRIOR YEAR,
AND PERCENT OF THOSE IN CARRP BY MUSLIM STATUS AND FISCAL YEAR
MUSLIM STATUS DEFINED BY CITIZENSHIP COUNTRY

FISCAL YEAR	NON-MUSLIM (<50%)					MUSLIM (>50%)				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP
13	496,049	62	0.012%	N/A	34.1%	62,100	129	0.21%	N/A	70.9%
14	521,471	62	0.012%	-4.88%	36.3%	77,410	129	0.17%	-19.78%	75.4%
15	524,669	195	0.04%	212.60%	41.3%	80,470	297	0.37%	121.48%	62.9%
16	597,472	481	0.08%	116.61%	38.5%	82,081	823	1.00%	171.67%	65.8%
17	639,346	579	0.09%	12.49%	42.0%	92,648	887	0.96%	-4.52%	64.3%
18	565,257	413	0.07%	-19.32%	37.3%	92,093	783	0.85%	-11.19%	70.7%
19	474,355	218	0.05%	-37.10%	42.0%	62,313	354	0.57%	-33.18%	68.2%
TOTAL	3,818,619	2,010	0.05%		39.6%	549,115	3,402	0.62%		66.9%

FISCAL YEAR	PREDOMINATELY MUSLIM (>=90%)					7 MUSLIM COUNTRIES IDENTIFIED IN EO ¹				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP
13	46,348	120	0.26%	N/A	65.9%	24,041	65	0.27%	N/A	35.7%
14	60,916	109	0.18%	-30.89%	63.7%	36,938	70	0.19%	-29.91%	40.9%
15	63,241	277	0.44%	144.79%	58.7%	39,543	190	0.48%	153.55%	40.3%
16	61,443	769	1.25%	185.74%	61.5%	36,241	529	1.46%	203.79%	42.3%
17	67,986	801	1.18%	-5.86%	58.0%	42,105	570	1.35%	-7.26%	41.3%
18	65,018	695	1.07%	-9.27%	62.7%	40,757	478	1.17%	-13.37%	43.1%
19	33,998	301	0.89%	-17.17%	58.0%	11,227	176	1.57%	33.67%	33.9%
TOTAL	398,950	3,072	0.77%		60.4%	230,852	2,078	0.90%		40.9%

NOTE

¹ Seven Muslim Countries are Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen.

TABLE 17
COUNTS OF N-400 APPLICANTS , REFERRAL RATE TO CARRP AND PERCENT CHANGE FROM PRIOR YEAR,
AND PERCENT OF THOSE IN CARRP BY MUSLIM STATUS AND FISCAL YEAR
MUSLIM STATUS DEFINED BY CITIZENSHIP COUNTRY

FISCAL YEAR	NON-MUSLIM (<50%)					MUSLIM (>50%)				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of Those in CAARP
13	657,775	24	0.00%	N/A	26.4%	113,990	87	0.08%	N/A	95.6%
14	671,387	46	0.01%	87.78%	18.4%	113,542	228	0.20%	163.10%	91.2%
15	664,139	175	0.03%	284.59%	27.8%	120,140	496	0.41%	105.60%	78.9%
16	861,868	805	0.09%	254.47%	40.5%	121,944	1,366	1.12%	171.33%	68.8%
17	859,280	1,305	0.15%	62.60%	49.7%	119,555	1,550	1.30%	15.74%	59.0%
18	718,726	830	0.12%	-23.96%	40.8%	119,456	1,367	1.14%	-11.73%	67.2%
19	686,237	318	0.05%	-59.87%	28.3%	130,614	891	0.68%	-40.39%	79.3%
TOTAL	5,119,412	3,503	0.07%		40.1%	839,241	5,985	0.71%		68.5%

FISCAL YEAR	PREDOMINATELY MUSLIM (>=90%)					7 MUSLIM COUNTRIES IDENTIFIED IN EO ¹				
	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP	TOTAL	CARRP	Percent Referred to CARRP	Percent Change from Prior Year	Percent of those in CAARP
13	76,078	67	0.09%	N/A	73.6%	35,414	35	0.10%	N/A	38.5%
14	76,489	204	0.27%	202.84%	81.6%	37,310	119	0.32%	222.72%	47.6%
15	80,365	454	0.56%	111.82%	72.2%	39,796	269	0.68%	111.93%	42.8%
16	79,681	1,181	1.48%	162.37%	59.5%	35,719	582	1.63%	141.05%	29.3%
17	80,117	1,321	1.65%	11.25%	50.3%	37,476	721	1.92%	18.08%	27.5%
18	83,296	1,204	1.45%	-12.34%	59.2%	42,752	753	1.76%	-8.45%	37.0%
19	93,004	806	0.87%	-40.04%	71.7%	46,234	556	1.20%	-31.72%	49.5%
TOTAL	569,030	5,237	0.92%		59.9%	274,701	3,035	1.10%		34.7%

NOTE

¹ Seven Muslim Countries are Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen.

TABLE 18**"80% RULE" COMPARISONS OF CARRP REFERRALS (OR NON-CARRP REFERRALS) BY MUSLIM STATUS
MUSLIM STATUS DEFINED BY CITIZENSHIP COUNTRY**

Fiscal Year	N-400 APPLICATIONS			I-485 APPLICATIONS		
	non-Muslim Rate/ Muslim Rate	non-Muslim Rate/ 90% Muslim Rate/	non-Muslim Rate/ EO: 7 Rate/	non-Muslim Rate/ Muslim Rate	non-Muslim Rate/ 90% Muslim Rate/	non-Muslim Rate/ EO: 7 Rate/
13	20.9	24.1	27.1	16.6	20.7	21.6
14	29.3	38.9	46.6	14.0	15.0	15.9
15	15.7	21.4	25.7	9.9	11.8	12.9
16	12.0	15.9	17.4	12.5	15.5	18.1
17	8.5	10.9	12.7	10.6	13.0	14.9
18	9.9	12.5	15.3	11.6	14.6	16.1
19	14.7	18.7	26.0	12.4	19.3	34.1
TOTAL	10.4	13.5	16.1	11.8	14.6	17.1

Note

Values below 80% indicate referrals to CARRP are disproportionately Muslim and the smaller the value, the greater the disparate impact.

TABLE 19

**COMPARISON OF CHANGE DURING PRE EO 13769
AND POST EO 13769 FOR FY 2015 AND FY 2016 APPLICATIONS
WHICH ARE COMPARABLE BY MUSLIM STATUS
DEFINED BY CITIZENSHIP COUNTRY**

<u>Form</u>	<u>Muslim Status</u>	<u>Difference in Comparable Referral Rates</u>	<u>Difference in Comparable Referral Rate Muslim Rate - non-Muslim Cohort Rate</u>	<u>Statistically Significant</u>
I-485	<50%	3.0%	N/A	
I-485	>=50%	1.5%	-1.4%	No
I-485	>=90%	0.4%	-2.6%	No
I-485	EO7	-2.6%	-5.6%	No
N-400	<50%	28.8%	N/A	
N-400	>=50%	30.0%	1.0%	No
N-400	>=90%	30.2%	1.4%	No
N-400	EO7	27.9%	0.9%	No

Note

Decisions made between 1/27/16 to 1/26/17 on applications received in FY 2015 (pre EO 13769) are comparable with decisions made between 1/27/18 and 1/26/19 on applications received in FY 2016 (post EO 13769).

TABLE 20**COMPARISON OF AGENCY SOURCE OF SINGLE REPORTED DATA SUPPORTING REFERRAL OF I-485 APPLICANTS
BY FISCAL YEAR AND MUSLIM STATUS****Muslim Status Based on Citizenship Country**

<u>Fiscal Year</u>	<u>Percent of Reported Sources Assigned to USCIS</u>				<u>Percent of Reported Sources Assigned to Third Agency</u>				<u>Percent of Reported Sources Assigned to Indeterminate Agency</u>			
	<u>Muslim</u>	<u>>=50% Muslim</u>	<u>>=90% Muslim</u>	<u>EO 7 Countries</u>	<u><50% Muslim</u>	<u>>=50% Muslim</u>	<u>>=90% Muslim</u>	<u>EO 7 Countries</u>	<u><50% Muslim</u>	<u>>=50% Muslim</u>	<u>>=90% Muslim</u>	<u>EO 7 Countries</u>
2013	8.1	2.3	1.7	0.0	85.5	91.5	92.5	95.4	6.5	6.2	5.8	4.6
2014	4.8	2.3	2.8	1.4	77.4	89.2	87.2	88.6	17.7	8.5	10.1	10.0
2015	1.0	2.4	1.8	2.1	94.4	90.2	90.3	87.9	4.6	7.4	7.9	10.0
2016	1.7	0.7	0.5	0.4	93.4	93.7	93.9	93.2	5.0	5.6	5.6	6.4
2017	1.9	2.0	1.8	1.6	91.9	89.9	90.0	89.8	6.2	8.1	8.2	8.6
2018	1.9	1.0	0.9	1.1	90.1	93.2	93.7	93.9	8.0	5.8	5.5	5.0
2019	2.8	1.4	1.0	1.7	78.4	86.2	88.7	89.2	18.8	12.4	10.3	9.1
2013-2019	2.1	1.5	1.2	1.2	90.0	91.2	91.7	91.5	7.9	7.3	7.1	7.3

TABLE 21**COMPARISON OF AGENCY SOURCE OF SINGLE REPORTED DATA SUPPORTING REFERRAL OF N-400 APPLICANTS
BY FISCAL YEAR AND MUSLIM STATUS****Muslim Status Based on Citizenship Country**

Fiscal Year	Percent of Reported Sources Assigned to USCIS				Percent of Reported Sources Assigned to Third Agency				Percent of Reported Sources Assigned to Indeterminate Agency			
	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7	<50%	>=50%	>=90%	EO 7
	Musli	Muslim	Muslim	Countries	Muslim	Muslim	Muslim	Countries	Musli	Muslim	Muslim	Countries
2013	0.0	0.0	0.0	0.0	100.0	94.3	92.5	94.3	0.0	5.8	7.5	5.7
2014	0.0	0.9	1.0	0.8	93.5	92.1	92.7	90.8	6.5	7.0	6.4	8.4
2015	0.6	0.6	0.7	0.0	94.9	95.2	95.2	94.1	4.6	4.2	4.2	6.0
2016	0.1	0.1	0.1	0.2	96.9	96.6	96.5	97.3	3.0	3.3	3.4	2.6
2017	0.5	0.3	0.2	0.3	75.4	93.8	95.8	95.0	24.1	5.9	4.1	4.7
2018	0.1	0.2	0.3	0.1	77.6	91.8	92.5	92.7	22.3	8.0	7.2	7.2
2019	0.6	0.2	0.3	0.4	84.9	89.6	89.1	89.2	14.5	10.2	10.7	10.4
2013-2019	0.3	0.3	0.3	0.2	83.1	93.4	94.0	93.5	16.6	6.3	5.8	6.2

TABLE 22**ESTIMATED FIRST OR ONLY SOURCE OF NATIONAL SECURITY CONCERN INFORMATION RESULTING
IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR I-485 APPLICANTS****Muslim Status Based on Citizenship Country**

Fiscal Year	Estimated Percent of Applications were First Source was Third Agency				Estimated Percent of Applications were First Source was USCIS			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO: 7 Countries	<50% Muslim	>=50% Muslim	>=90% Muslim	EO: 7 Countries
2013	92.7%	95.7%	96.3%	97.7%	55.6%	52.7%	52.3%	51.2%
2014	88.7%	94.6%	93.6%	94.3%	56.9%	53.3%	53.9%	53.2%
2015	97.2%	95.1%	95.1%	93.9%	51.7%	53.0%	52.9%	53.6%
2016	96.7%	96.8%	96.9%	96.6%	52.1%	51.8%	51.7%	51.8%
2017	95.9%	94.9%	95.0%	94.9%	52.5%	53.0%	52.9%	52.9%
2018	95.0%	96.6%	96.8%	97.0%	53.0%	51.9%	51.8%	51.8%
2019	89.2%	93.1%	94.4%	94.6%	56.1%	53.8%	53.1%	53.1%
TOTAL	95.0%	95.6%	95.9%	95.8%	53.0%	52.6%	52.4%	52.4%

TABLE 23**ESTIMATED FIRST OR ONLY SOURCE OF NATIONAL SECURITY CONCERN INFORMATION RESULTING
IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR N-400 APPLICANTS****Muslim Status Based on Citizenship Country**

Fiscal Year	Estimated Percent of Applications were First Source was Third Agency				Estimated Percent of Applications were First Source was USCIS			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO: 7 Countries	<50% Muslim	>=50% Muslim	>=90% Muslim	EO: 7 Countries
2013	100.0%	97.1%	96.3%	97.1%	50.0%	51.4%	51.9%	51.4%
2014	96.7%	96.1%	96.3%	95.4%	51.6%	52.2%	52.1%	52.5%
2015	97.4%	97.6%	97.6%	97.0%	51.4%	51.4%	51.4%	51.5%
2016	98.4%	98.3%	98.3%	98.6%	50.8%	50.9%	50.9%	50.7%
2017	87.7%	96.9%	97.9%	97.5%	56.3%	51.6%	51.1%	51.3%
2018	88.8%	95.9%	96.3%	96.4%	55.6%	52.1%	51.9%	51.9%
2019	92.5%	94.8%	94.5%	94.6%	53.9%	52.7%	52.8%	52.8%
TOTAL	91.6%	96.7%	97.0%	96.8%	54.3%	51.7%	51.6%	51.7%

TABLE 22.1**ESTIMATED FIRST OR ONLY SOURCE OF NATIONAL SECURITY CONCERN INFORMATION
RESULTING IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR I-485 APPLICANTS****Muslim Status Based on Citizenship Country**

Fiscal Year	Estimated Percent of Applications were First Source was Third Agency				Estimated Percent of Applications were First Source was USCIS			
	<50% Muslim non- Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries	<50% non- Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	85.9%	89.5%	90.1%	91.7%	14.1%	10.5%	9.9%	8.3%
2014	82.2%	88.3%	87.3%	88.1%	17.8%	11.7%	12.7%	11.9%
2015	91.1%	88.9%	88.9%	87.7%	8.9%	11.1%	11.1%	12.3%
2016	90.5%	90.8%	90.9%	90.5%	9.5%	9.2%	9.1%	9.5%
2017	89.7%	88.7%	88.8%	88.7%	10.3%	11.3%	11.2%	11.3%
2018	88.8%	90.5%	90.7%	90.8%	11.2%	9.5%	9.3%	9.2%
2019	82.9%	86.9%	88.2%	88.4%	17.1%	13.1%	11.8%	11.6%
TOTAL	88.8%	89.4%	89.7%	89.6%	11.2%	10.6%	10.3%	10.4%

NOTE

The number of referrals where USCIS is initial source: Total referrals - estimated cases where Third Agency was first source.
The number of referrals where Third Party is initial source is: $0.94 \times \text{Third Party (single source)} + .438 \times \text{Indeterminate (single source)} + .333 \times \text{USCIS (single source)}$.

TABLE 23.1**ESTIMATED FIRST OR ONLY SOURCE OF NATIONAL SECURITY CONCERN INFORMATION
RESULTING IN CARRP REFERRAL BY FISCAL YEAR BY MUSLIM STATUS FOR N-400 APPLICANTS****Muslim Status Based on Citizenship Country**

Fiscal Year	Estimated Percent of Applications were First Source was Third Agency				Estimated Percent of Applications were First Source was USCIS			
	<50% non- Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries	<50% non- Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	94.0%	91.1%	90.3%	91.1%	6.0%	8.9%	9.7%	8.9%
2014	90.7%	90.0%	90.2%	89.3%	9.3%	10.0%	9.8%	10.7%
2015	91.4%	91.5%	91.5%	91.0%	8.6%	8.5%	8.5%	9.0%
2016	92.4%	92.3%	92.2%	92.6%	7.6%	7.7%	7.8%	7.4%
2017	81.6%	90.9%	91.9%	91.5%	18.4%	9.1%	8.1%	8.5%
2018	82.7%	89.9%	90.2%	90.3%	17.3%	10.1%	9.8%	9.7%
2019	86.4%	88.7%	88.5%	88.5%	13.6%	11.3%	11.5%	11.5%
TOTAL	85.5%	90.7%	90.9%	90.7%	14.5%	9.3%	9.1%	9.3%

NOTE

The number of referrals where USCIS is initial source: Total referrals - estimated cases where Third Agency was first source.
The number of referrals where Third Party is initial source is: $0.94 \times \text{Third Party (single source)} + .438 \times \text{Indeterminate (single source)} + .333 \times \text{USCIS (single source)}$.

TABLE 24**COMPARISON OF APPROVAL RATES BY MUSLIM STATUS FYs 2013-2019
FORM I-485 APPLICANTS****Muslim Status Based On Citizenship Country**

CARRP Status	NUMBER OF APPLICATIONS				APPROVAL RATE			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	2,259	1,334	2,078	1,449	76.6%	76.2%	77.0%	80.5%
Not CARRP	471,194	3,304,471	359,408	218,058	93.7%	93.1%	95.3%	97.7%
ALL	473,453	3,305,805	361,486	219,507	93.7%	93.0%	95.2%	97.6%

CARRP Status	APPROVAL GAP			RELATIVE DIFFERENCE (80% RULE)		
	>=50% Muslim	>=90% Muslim	EO 7 Counties	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	0.4%	-0.3%	-3.9%	99.5%	100.4%	105.0%
Not CARRP	0.6%	-1.6%	-4.0%	99.4%	101.7%	104.2%
ALL	0.7%	-1.5%	-3.9%	99.3%	101.6%	104.1%

TABLE 25**COMPARISON OF APPROVAL RATES BY MUSLIM STATUS FYs 2013-2019
FORM N-400 APPLICANTS****Muslim Status Based On Citizenship Country**

CARRP Status	NUMBER OF APPLICATIONS				APPROVAL RATE			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	2,271	3,835	3,362	1,920	83.2%	75.6%	72.8%	71.7%
Not CARRP	4,543,985	724,559	487,523	234,765	92.1%	92.9%	90.0%	89.0%
ALL	4,546,256	728,394	490,885	236,685	92.1%	92.8%	89.9%	88.8%

CARRP Status	APPROVAL GAP			RELATIVE DIFFERENCE (80% RULE)		
	>=50% Muslim	>=90% Muslim	EO 7 Counties	>=50% Muslim	>=90% Muslim	EO 7 Counties
CARRP	10.7%	10.4%	11.5%	87.2%	87.5%	86.2%
Not CARRP	2.2%	2.1%	3.1%	97.6%	97.7%	96.6%
ALL	2.3%	2.2%	3.3%	97.5%	97.6%	96.4%

TABLE 26

**TIME TO ADJUDICATION AMONG I-485 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)
Muslim Status Based on Country of Citizenship**

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	<50%	7	17	73	>=50%	9	23	55
2014	<50%	19	46	71	>=50%	13	32	58
2015	<50%	29	38	49	>=50%	26	36	46
2016	<50%	21	27	38	>=50%	21	27	36
2017	<50%	17	23	30	>=50%	17	22	30
2018	<50%	13	18	23	>=50%	13	19	23
2019	<50%	11	N/A		>=50%	11	N/A	

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	>=90%	10	23	55	E0 7	9	23	55
2014	>=90%	14	36	58	E0 7	17	32	55
2015	>=90%	26	36	46	E0 7	25	36	47
2016	>=90%	18	27	35	E0 7	20	25	34
2017	>=90%	17	22	29	E0 7	17	21	28
2018	>=90%	13	19	23	E0 7	13	19	23
2019	>=90%	9	N/A		E0 7	11	N/A	

Notes

Except if noted in green, time to adjudication for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

The time to adjudication is quicker than that of non-Muslim population.

TABLE 27

**TIME TO ADJUDICATION AMONG N-400 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)
Muslim Status Based on Country of Citizenship**

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	<50%	9	20	63	>=50%	10	23	65
2014	<50%	20	43	55	>=50%	19	43	55
2015	<50%	29	38	50	>=50%	28	36	46
2016	<50%	21	27	34	>=50%	21	27	34
2017	<50%	19	25	31	>=50%	18	23	29
2018	<50%	14	18	23	>=50%	13	17	23
2019	<50%	10	N/A		>=50%	11	N/A	

Fiscal Year	Muslim Status	Months Until Percent of Applications Adjudicated			Muslim Status	Months Until Percent of Applications Adjudicated		
		25%	50%	75%		25%	50%	75%
2013	>=90%	9	26	65	E0 7	9	26	67
2014	>=90%	20	43	55	E0 7	18	40	53
2015	>=90%	28	35	45	E0 7	26	34	44
2016	>=90%	22	27	35	E0 7	22	27	34
2017	>=90%	18	22	28	E0 7	18	22	28
2018	>=90%	13	17		E0 7	13	16	
2019	>=90%	11	N/A		E0 7	11	N/A	

Notes

Except if noted in green, time to adjudication for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

The time to adjudication is quicker than that of non-Muslim population.

TABLE 28

**TIME TO APPROVAL AMONG I-485 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)**

Muslim Status Based on Country of Citizenship

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	<50%	6	8	11	>=50%	6	13	24
2014	<50%	10	36	47	>=50%	9	18	50
2015	<50%	28	32	41	>=50%	26	34	42
2016	<50%	20	23	30	>=50%	20	24	31
2017	<50%	16	20	24	>=50%	16	19	23
2018	<50%	10	13	16	>=50%	10	13	17
2019	<50%	4	7	8	>=50%	5	7	8

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	>=90%	6	13	24	E0 7	6	13	24
2014	>=90%	11	24	52	E0 7	12	28	52
2015	>=90%	26	34	42	E0 7	25	34	43
2016	>=90%	20	24	31	E0 7	19	24	30
2017	>=90%	16	19	23	E0 7	16	19	23
2018	>=90%	11	13	17	E0 7	11	14	18
2019	>=90%	5	7	8	E0 7	5	7	8

Notes

Except if noted in green, time to approval for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

 The time to approval is quicker than that of non-Muslim population.

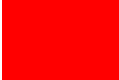
 Adverse to Muslim (longer).

TABLE 29

**TIME TO APPROVAL AMONG N-400 APPLICATIONS
PROCESSED IN CARRP BY FISCAL YEAR AND MUSLIM STATUS
(NOT MUSLIM OR MUSLIM)**

Muslim Status Based on Country of Citizenship

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	<50%	5	9	58	>=50%	8	26	59
2014	<50%	38	42	53	>=50%	36	45	53
2015	<50%	29	35	45	>=50%	30	36	44
2016	<50%	21	25	30	>=50%	21	24	30
2017	<50%	17	21	25	>=50%	17	20	24
2018	<50%	11	14	16	>=50%	11	13	16
2019	<50%	7	8	9	>=50%	6	8	10

Fiscal Year	Muslim Status	Months Until Percent of Applications Approved			Muslim Status	Months Until Percent of Applications Approved		
		25%	50%	75%		25%	50%	75%
2013	>=90%	8	15	56	E0 7	8	15	26
2014	>=90%	36	42	52	E0 7	34	43	50
2015	>=90%	30	36	43	E0 7	29	34	41
2016	>=90%	21	24	30	E0 7	21	25	30
2017	>=90%	17	20	24	E0 7	17	20	23
2018	>=90%	11	13	16	E0 7	11	13	15
2019	>=90%	6	8	10	E0 7	6	8	9

Notes

Except if noted in green, time to approval for those with Muslim status is not statistically significantly different from the time to adjudication for the non-Muslim applications.

 The time to approval is quicker than that of non-Muslim population.

TABLE 30

**COMPARISON OF APPROVAL RATES BY FISCAL YEAR
APPLIED AND MUSLUM STATUS
I-485 APPLICANTS
Muslim Status Based on Country of Citizenship**

	Approval Rates by Muslim Status			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	50.00%	53.49%	54.17%	55.38%
2014	31.40%	55.81%	53.21%	54.29%
2015	52.17%	64.19%	64.49%	67.89%
2016	61.99%	65.45%	66.67%	70.32%
2017	56.78%	56.54%	58.39%	61.77%
2018	39.54%	42.61%	43.36%	47.97%
2019	6.53%	8.90%	10.03%	10.18%

The time to adjudication is quicker than that of non-Muslim population.

TABLE 31

**COMPARISON OF APPROVAL RATES BY FISCAL YEAR
APPLIED AND MUSLUM STATUS
N-400 APPLICANTS
Muslim Status Based on Country of Citizenship**

	Approval Rates by Muslim Status			
	<50% Muslim	>=50% Muslim	>=90% Muslim	EO 7 Countries
2013	32.00%	17.24%	19.40%	8.57%
2014	37.50%	31.14%	31.37%	28.57%
2015	51.96%	48.08%	48.90%	50.56%
2016	72.79%	63.88%	64.32%	64.20%
2017	59.62%	59.21%	60.65%	61.11%
2018	43.06%	43.44%	43.26%	45.35%
2019	12.46%	8.57%	8.60%	8.88%

Adverse to Muslim (longer).