



Senator Feinstein Introduces New Measure to Reduce Immigration Backlog

May 18, 2000

Washington, DC U.S. Senator Dianne Feinstein (D-Calif.) today introduced bipartisan legislation to provide the Immigration and Naturalization Service (INS) with the resources it needs to help eliminate the current backlog in naturalization, adjustments of status, and visa applications.

The Immigration Services and Infrastructure Improvement Act of 2000 also provides more direction and greater accountability on how the INS uses funds appropriated by Congress. The bill is cosponsored by Senators Spencer Abraham (R-MI), chairman of the Senate Judiciary Committee's Immigration panel, Patrick Leahy (D-VT), ranking member of the Judiciary Committee, Mike DeWine (R-OH), Daniel Patrick Moynihan (D-NY), Harry Reid (D-NV), Jim Jeffords (R-VT), Barbara Mikulski (D-MD), Bob Graham (D-FL), and Richard Durbin (D-IL).

This legislation will enable the INS to cut through and reduce the unacceptably long backlogs in processing applications for naturalization, adjustment of status, and other immigration benefits Senator Feinstein said. The measure would provide the INS with the resources the agency needs to reduce the backlog while at the same time hold the INS accountable to get the job done.

It has now become all too clear to me that INS must re-engineer its adjudication process, which will require both additional resources and strong congressional direction and oversight. All of us have heard the horrors stories of long delays in processing naturalization and immigrant applications. What was once a 6-month process has now become a 3-to 4-year ordeal. There are simply too many victims today of an agency that is in dire need of a change in the way it does business.

The measure would enable millions of law-abiding citizens, residents, immigrants, and businesses who have played by the rules and paid fees to the INS to have their applications processed in a timely manner.

As one who represents California -- the top immigrant receiving state -- I have seen firsthand how families and businesses can be disproportionately affected by the smallest fluctuations in INS resources and services, Senator Feinstein said. One out of

every four Californians roughly 8.5 million people is foreign born. The average number of new immigrants to the State is more than 300,000 annually.

The constant processing delays at the INS have had a tremendous impact on the ability of immigrants to naturalize. And these delays also affect their ability to seek out a range of services related to their application for green cards, work authorization, and family reunification. Applicants for services are never really sure if their application is still in the process or lost, especially when it's the expected time for an interview notice or fingerprint.

Both immigration advocates and the Administration have indicated their support for mechanisms such as those included in this measure. I have also worked closely with the business community and the immigration community in drafting the legislation. This bill would provide direction and accountability on how the INS uses appropriated funds.

The bottom line is that reducing backlogs will help businesses that need to retain foreign employees; U.S. citizen constituents trying to reunite with family members; and immigrants seeking to become U.S. citizens.

In the United States today, there are 1.3 million pending citizenship applications. While INS has made some progress in this area, the agency has a long way to go to reduce the wait to where we were 10 years ago. The average wait for naturalization is now 14 months, while it was 6 months just a decade ago. For adjustment of Permanent Resident Status, there are 957,350 pending applications, representing an 800% increase since 1994 and the wait is now up to 29 months.

Specifically, the Immigration Services and Infrastructure Improvement Act of 2000 would:

Create a separate account and authorize such sums as may be necessary to fund it in order to permit INS to fund across several fiscal years infrastructure improvements, including additional staff, computer records management, fingerprinting, and nationwide computer integration. Moreover, it would pay for these infrastructure improvements through direct appropriations rather than through increased application fees.

Require INS to put together a plan on how it will eliminate existing backlogs and report on this plan before it could access any of the funds. In its report, the INS would be required to describe its current processing capabilities and detail its plans to eliminate existing backlogs in immigration benefit applications and petitions.

Require the U.S. Department of Justice to submit an annual, detailed report to Congress, including data on the number of naturalization applications and immigration petitions processed and adjudicated in each of the fiscal years following enactment.

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May 18, 2000

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. ABRAHAM, Mr. LEAHY, Mr. JEFFORDS, Mr. REID, Mr. MOYNIHAN, Ms. MIKULSKI, Mr. GRAHAM, Mr. DURBIN, and Mr. DEWINE):

S. 2586. A bill to reduce the backlog in the processing of immigration benefit applications and to make improvements to infrastructure necessary for the effective provision of immigration services, and for other purposes; to the Committee on the Judiciary.

IMMIGRATION SERVICES AND INFRASTRUCTURE IMPROVEMENTS ACT OF 2000

Mrs. FEINSTEIN. Mr. President, today I am introducing bipartisan legislation that, if enacted, will enable the Immigration and Naturalization Service (INS) to cut through and eventually eliminate the unacceptably long backlogs in its processing of applications for naturalization, adjustment of status, and other immigration benefits.

I am pleased that Senators ABRAHAM, JEFFORDS, DEWINE, LEAHY, REID, MOYNIHAN, MIKULSKI, GRAHAM, and DURBIN have joined me as original cosponsors of this important bill.

All of us have heard the horror stories of the long delays in processing naturalization and immigration applications. What was once a 6-month process has now become a 3- to 4-year ordeal.

The "Immigration Services and Infrastructure Improvement Act of 2000," which I am introducing today, would provide the Immigration and Naturalization Service with the direction and resources it needs to reduce the current immigration backlogs and hold it accountable to get the job done.

It is unacceptable that millions of people who have followed our nation's laws, made outstanding contributions to our nation, and paid the requisite fees have had to wait months-and in too many cases, years-to obtain the immigration services they need. The enormous delays in processing have had a negative impact on the reunification of spouses and minor children, and on businesses seeking to employ essential workers to help keep them globally competitive.

The fact is, there are many victims of an agency that is in dire need of a change in the way it does business. Today, it has become all too clear that the INS needs to re-engineer its adjudication process, which will require both additional resources and strong congressional direction and oversight.

The "Immigration Services and Infrastructure Improvement Act" would enable millions of law-abiding residents, immigrants, and businesses, who have played by the rules and paid fees to the INS, to have their applications processed in a timely manner.

This bill evolved from discussions with immigration advocates, the business community, State and local leaders, and the Administration. Specifically, this legislation would do three things.

First, it would create a separate "Immigration Services and Infrastructure Improvement Account" ("Account") and authorize such sums as may be necessary to fund it.

This account would permit the INS to fund across several fiscal years infrastructure improvements, including additional staff, computer records management, fingerprinting, and nationwide computer integration. Moreover, it would pay for these infrastructure improvements through direct appropriations rather than through increased application fees.

Second, the "Immigration Services and Infrastructure Improvement Act of 2000" would require the INS to put together a plan on how it will eliminate existing backlogs and report on this plan before it could access any of the funds.

In its report, the INS would be required to describe its current processing capabilities and detail its plans to eliminate existing backlogs in immigration benefit applications and petitions.

And third, it would require the Department of Justice to submit an annual, detailed report to Congress, including data on the number of naturalization applications and immigration petitions processed and adjudicated in each of the fiscal years following enactment of the act.

The act would also require the INS to report on the number of cases still pending in the naturalization, immigrant and nonimmigrant visa categories. In some cases this would involve a state-by-state or regional analysis of INS's progress in processing applications in a timely fashion.

In the past 7 years, 6.4 million people applied for U.S. citizenship-more than the previous 37 years combined. Today, INS faces a backlog of 1.3 million naturalization applications. Although the INS has put more resources into processing naturalization applications, this has come at the expense of processing other immigration-related applications, such as those for lawful permanent residence. At the beginning of this year, the INS had a pending caseload of 951,350 adjustment of status applications-an eightfold increase since 1994.

As a result, major cities continue to face tremendous delays in the processing of INS naturalization and immigrant applications. Five cities-Los Angeles, New York, San Francisco, Miami, and Chicago-handle 65 percent of the nation's naturalization workload.

By now, most of us are familiar with the numbers. Indeed, it would be easy for one to look at and decry the statistics reflecting the enormous number of backlogged applications. Instead, I come to floor of the Senate today to talk about the human cost of these backlogs and what I intend to do through legislation to help the INS put itself on its proper course.

As one who represents California, a State that is number one among immigrant-receiving States, I have seen firsthand how families and businesses can be disproportionately affected by the smallest fluctuations in INS resources and services.

One out of every four Californians-about 8.5 million people-is foreign born. The average number of new immigrants to the State is more than 300,000 annually. Population growth of this magnitude is like adding a city the size of Anaheim, California each year.

The constant processing delays at the INS have had a tremendous impact on the ability of immigrants to naturalize, and seek services related to their application for green cards, work authorization, and family reunification.

On almost a daily basis, my office fields calls from people who have been waiting three or four years to naturalize or to adjust their status to that of lawful permanent resident. And this is after having paid a fee of \$225 per naturalization application, and \$220 for an adjustment of status application-per person. Imagine how much of an investment a family makes in order to play by the rules.

Applicants for these services are never really sure if their application is still in the process or lost, especially when the expected time for a fingerprint or interview notice comes and goes.

I have received numerous letters from constituents that vividly portray the human toil these backlogs have taken.

For example, one person wrote that he and his family have been in the country legally for more than 10 years. They filed their request for permanent residency at the right time. Their file, however, has moved so slowly within the INS that one of their sons is now about to "age out" of qualifying for permanent residence because he will turn 21 soon.

Just recently, I received a letter from a young student at Berkeley who filed a citizenship application in October 1996. She is still waiting to receive word from the INS on the correct status of her file.

She was told by the INS in January this year that it had closed her case in June 1999 without her knowledge or ability to address any concerns they might have had with her case. In fact, she was never told there were problems with her case.

Up until January, she had been told by the INS that she would be receiving her interview notice within six weeks. Unfortunately, six weeks became three years. Now, almost four years later, she has come to my office for assistance, wondering what she might have done to create this situation.

The fact is, like millions of others throughout the country, she is a victim of an agency that is in dire need of a change in the way it does business.

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Millions of people are being prevented from participating in American civic life because of the inability of INS to process their naturalization applications in a timely fashion (e.g., they cannot vote, run for public office, assume certain government positions). U.S. citizens are unable to be reunited with their spouses and minor children because of the delays in INS processing.

And thousands of American businesses, such as high tech companies like Sun Microsystems and others, have been prevented from getting qualified workers because of the INS's inability to provide access to a critical portion of their workforce. Lengthy delays and inconsistencies in INS processing have taken a toll on company projects, planning and goals.

How does this legislation help Congress hold the INS accountable for the prompt delivery of services? If INS does not meet the goals of set out in this legislation, it would have to explain to Congress why the backlogs persist and what the agency is doing to fix them. This legislation would also require the INS to describe the additional mechanisms and resources needed to meet Congress's mandate that backlogs be eliminated and that the processing of applications take place in an acceptable time frame.

While funds devoted to enforcing our immigration laws have rightfully been increased in recent years, until very recently, Congress had not provided increases in funding to the INS specifically to deal with the increased missions that Congress has imposed on it. Nor has Congress provided adequate funding to deal with the increased number of naturalization and other immigration benefits applications that have been submitted in recent years and continue to be submitted.

The business community, immigration community, and the Administration have indicated their

support for mechanisms such as those included in my legislation. I wish to thank the following organizations whose valuable input and ideas helped shaped this important legislation:

American Business for Legal Immigration; American Council on International Personnel; American Immigration Lawyers Association; Hebrew Immigration Aid Society; Mexican American Legal Defense and Education Fund; National Association of Latino Elected Officials; National Asian Pacific American Legal Consortium; National Council of La Raza; United Jewish Communities; and United States Catholic Conference.

Mr. President, the "Immigration Services and Infrastructure Improvement Act of 2000" would provide direction and accountability on how the INS uses appropriated funds. Passage of this legislation would send a strong congressional directive to the INS that timely and efficient service is not merely goal, but a mandate.

I urge the Senate to act swiftly and pass this urgently needed legislation.

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“IMMIGRATION SERVICES AND INFRASTRUCTURE IMPROVEMENT ACT”

Sponsored by Senator Dianne Feinstein

Section-by-Section Summary

Section 1. Short Title. Designates short title of the bill as the “Immigration Services and Infrastructure Improvement Act.”

Section 2. Congressional Findings and Purposes. Subsection (a) finds that processing times for naturalization, adjustment of status, and other immigration visa categories have been unacceptably long. The enormous delays in processing have had a negative impact on the reunification of spouses and minor children and on businesses seeking to employ essential workers to help keep them globally competitive.

Subsection (b) states that the purpose of the Act is to provide the Immigration and Naturalization Service (INS) with the resources it needs to eliminate the current immigration backlogs, to maintain reasonable processing times in future years, and to provide for regular Congressional oversight through detailed reporting requirements.

Subsection (c) expresses the Sense of Congress that the INS should process within 180 days applications for naturalization, adjustment of status, family and business immigration visas, asylum and temporary protected status. It expresses the Sense of Congress that petitions for nonimmigrant visas should be processed within 30 days of initial receipt.

Section 3. Definitions. Defines the term “backlog” as those applications and petitions described in the Act that have been pending for more than 180 days.

Section 4. Service Backlog Reduction Account. Establishes a separate account referred to as the “Immigration Services Improvement and Infrastructure Account” (“Account”) and authorizes Congress to appropriate such funds as necessary for the Account.

Permits the INS to use deposited funds across fiscal years for such purposes as providing additional personnel, purchasing fingerprinting equipment, improving procedures for application processing, improving records management, computer system integration and the purchase of other necessary equipment and expenses.

Section 5. Reports to Congress. Requires two reports to Congress. The Department of Justice would be required to submit the first of these reports *before* the INS uses any funds from the Account. In this first report, the INS would be required to submit detailed assessments of its current processing capabilities and detail its plans on how it will eliminate existing backlogs in immigration benefit applications and petitions. The second report to Congress would have to be submitted *at the end of each fiscal year*. This report would detail the status of the Account, give detailed data on the status of efforts to eliminate the backlog in processing immigration benefit applications, submit detailed data on the number of naturalization applications, and immigration petitions pending, processed, and adjudicated.

“IMMIGRATION SERVICES AND INFRASTRUCTURE IMPROVEMENT ACT”

Sponsored by Senator Dianne Feinstein

Backgrounder

The purpose of the “Immigration Services and Infrastructure Improvement Act” is to provide the Immigration and Naturalization Service (INS) with the resources it needs to eliminate the current immigration backlogs, to maintain reasonable processing times in future years, and to provide for regular Congressional oversight through detailed reporting requirements.

It is unacceptable that millions of people who have followed our nation’s laws; made outstanding contributions to our nation’s culture, economy and communities; and paid fees to obtain services have been treated in this manner. The enormous delays in processing have had a negative impact on the reunification of spouses and minor children and on businesses seeking to employ essential workers to help keep them globally competitive.

Why This Bill is Necessary

In the past 7 years, 6.4 million people applied for U.S. citizenship—more than the previous 37 years combined. Today, INS faces a backlog of 1.3 million naturalization applications. Although the INS has put more resources into processing naturalization applications, this has come at the expense of processing other immigration-related applications, such as those for lawful permanent residence. Currently, INS has a pending caseload of 951,350 adjustment of status applications—an eightfold increase since 1994.

As a result, major cities continue to face tremendous delays in the processing of INS naturalization and immigrant applications. Five cities — Los Angeles, New York, San Francisco, Miami and Chicago—handle 65 percent of the nation’s naturalization workload.

The immigration and naturalization backlogs have left hundreds of thousands of people in limbo — they cannot work, travel, or reunite with spouses or family members, until their applications are approved.

Impact on business: Due to a variety of factors, including a shortage of skilled workers in the United States and the need for unique skills, high tech companies like Sun Microsystems have had to rely on INS to provide access to a critical portion of their workforce. Lengthy delays and inconsistencies in INS processing have taken a toll on company projects, planning and goals.

Impact on families: Thousands of people are being prevented from participating in American civic life because of the inability of INS to process their naturalization applications in a timely fashion (e.g., they cannot vote, run for public office, assume certain government positions). U.S. citizens are unable to be reunited with their spouses and minor children because of the delays in INS processing.

How Proposed Legislation Would Solve Problem

The “Immigration Services and Infrastructure Improvement Act” would provide direction and accountability on how the INS uses appropriated funds. Reducing backlogs will help businesses

that need to retain foreign employees; U.S. citizen constituents trying to reunite with family members; and immigrants seeking to become U.S. citizens.

This legislation evolved from discussions with immigration advocates, the business community, State and local leaders, and the Administration.

Separate Funding Account: Senator Feinstein's bill would create a separate "Immigration Services and Infrastructure Improvement Account" ("Account") to permit the INS to:

- fund across several fiscal years infrastructure improvements, including additional staff, computer records management, fingerprinting, and nationwide computer integration; and
- pay for these infrastructure improvements through direct appropriations rather than through increased application fees.

More Accountability by the Immigration and Naturalization Service: The "Immigration Services and Infrastructure Improvement Act" would require the Department of Justice to submit two reports to Congress. The Department of Justice would be required to submit the first of these reports before the INS uses any funds from the Account. In this first report, the INS would be required to submit detailed assessments of its current processing capabilities and detail its plans on how it will go about eliminating backlogs in immigration benefit applications and petitions. In addition to this report, the bill also would require the INS to issue a detailed report to Congress, including data on the number of naturalization applications and immigration petitions processed and adjudicated in each of the fiscal years following enactment of the Act. The Act would also require the INS to report on the number of pending cases for naturalization, immigrant and nonimmigrant visa categories.

Progress Made with Previous Backlog Reduction Funding

With \$300 million in additional funding from Congress, INS launched a two-year effort to reduce backlogs in naturalization processing, beginning in FY 1999. These efforts were first concentrated on naturalization applications through FY 1999 because, at the time, this was the most serious problem. In FY 2000, the INS expanded its backlog reduction efforts to include adjustment of status applications.

INS is using the additional funding to hire at least 200 additional employees, and to upgrade its automated computer and fingerprinting systems using new technologies.

INS has focused staff, time and money on reducing backlogs and delays in Los Angeles, New York, San Francisco, Miami and Chicago -- 5 cities with the nation's largest backlogs.

Result: the INS reports an increase in the number of applications completed over the year before: Los Angeles -- a 175 percent increase, New York -- a 191 percent increase, San Francisco -- a 98 percent increase, Miami -- a 175 percent increase, and Chicago -- a 107

percent increase.

106TH CONGRESS
2D SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself, Mr. ABRAHAM, Mr. LEAHY, Mr. JEFFORDS, Mr. REID, Mr. MOYNIHAN, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reduce the backlog in the processing of immigration benefit applications and to make improvements to infrastructure necessary for the effective provision of immigration services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Immigration Services
5 and Infrastructure Improvements Act of 2000”.

6 **SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) Applications for naturalization have in-
2 creased dramatically in recent years, outpacing the
3 Immigration and Naturalization Service's ability to
4 process them.

5 (2) The dramatic increase in applications for
6 naturalization and the inability of the Immigration
7 and Naturalization Service to deal with them ade-
8 quately has resulted in an unacceptably large back-
9 log in naturalization adjudications.

10 (3) The processing times in the Immigration
11 and Naturalization Service's other immigration ben-
12 efits have been unacceptably long. Applicants for
13 family- and employment-based visas are waiting as
14 long as 3 to 4 years to obtain a visa or an adjust-
15 ment to lawful permanent resident status.

16 (4) In California, the delays in processing ad-
17 justment of status applications have averaged 52
18 months. In Texas, the delays have averaged 69
19 months. Residents of New York have had to wait up
20 to 28 months; in Florida, 26 months; in Illinois, 37
21 months; in Oregon, 31 months; and in Arizona, 49
22 months. Most other States have experienced unac-
23 ceptably long processing and adjudication delays.

24 (5) Applicants pay fees to have their applica-
25 tions adjudicated in a timely manner. These fees

1 have increased dramatically in recent years without
2 a commensurate increase in the capability of that
3 Immigration and Naturalization Service to process
4 and adjudicate these cases in an efficient manner.

5 (6) Processing these applications in a timely
6 fashion is critical. Each 12-month delay in adjudi-
7 cating an adjustment of status application requires
8 the alien to file applications to extend employment
9 authorization to work and advance parole documents
10 to travel.

11 (7) The enormous delays in processing applica-
12 tions for families and businesses have had a negative
13 impact on the reunification of spouses and minor
14 children and the ability of law-abiding and contrib-
15 uting members of our communities to participate
16 fully in the civic life of the United States.

17 (8) United States employers have also experi-
18 enced debilitating delays in hiring employees who
19 contribute to the economic growth of the United
20 States. These delays have forced employers to send
21 highly skilled and valued employees out of the
22 United States because their immigrant petitions
23 were not approved in a timely fashion. Such disrup-
24 tions seriously threaten the competitive edge of the
25 United States in the global marketplace.

1 (b) PURPOSE.—The purpose of this Act is to—

2 (1) provide the Immigration and Naturalization
3 Service with the mechanisms it needs to eliminate
4 the current backlog in the processing of immigration
5 benefit applications within 1 year after enactment of
6 this Act and to maintain the elimination of the back-
7 log in future years; and

8 (2) provide for regular congressional oversight
9 of the performance of the Immigration and Natu-
10 ralization Service in eliminating the backlog and
11 processing delays in immigration benefits adjudica-
12 tions.

13 (c) POLICY.—It is the sense of Congress that the
14 processing of an immigration benefit application should be
15 completed not later than 180 days after the initial filing
16 of the application, except that a petition for a non-
17 immigrant visa under section 214(c) of the Immigration
18 and Nationality Act should be processed not later than
19 30 days after the filing of the petition.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) BACKLOG.—The term “backlog” means,
23 with respect to an immigration benefit application,
24 the period of time in excess of 180 days that such

1 application has been pending before the Immigration
2 and Naturalization Service.

3 (2) IMMIGRATION BENEFIT APPLICATION.—The
4 term “immigration benefit application” means any
5 application or petition to confer, certify, change, ad-
6 just, or extend any status granted under the Immi-
7 gration and Nationality Act.

8 **SEC. 4. IMMIGRATION SERVICES AND INFRASTRUCTURE**
9 **IMPROVEMENT ACCOUNT.**

10 (a) AUTHORITY OF THE ATTORNEY GENERAL.—The
11 Attorney General shall take such measures as may be nec-
12 essary to—

13 (1) reduce the backlog in the processing of im-
14 migration benefit applications, with the objective of
15 the total elimination of the backlog not later than
16 one year after the date of enactment of this Act;

17 (2) make such other improvements in the proc-
18 essing of immigration benefit applications as may be
19 necessary to ensure that a backlog does not develop
20 after such date; and

21 (3) make such improvements in infrastructure
22 as may be necessary to effectively provide immigra-
23 tion services.

24 (b) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There is authorized to be
2 appropriated to the Department of Justice from
3 time to time such sums as may be necessary for the
4 Attorney General to carry out subsection (a).

5 (2) DESIGNATION OF ACCOUNT IN TREAS-
6 URY.—Amounts appropriated pursuant to paragraph
7 (1) may be referred to as the “Immigration Services
8 and Infrastructure Improvements Account”.

9 (3) AVAILABILITY OF FUNDS.—Amounts appro-
10 priated pursuant to paragraph (1) are authorized to
11 remain available until expended.

12 (4) LIMITATION ON EXPENDITURES.—None of
13 the funds appropriated pursuant to paragraph (1)
14 may be expended until the report described in sec-
15 tion 5(a) has been submitted to Congress.

16 **SEC. 5. REPORTS TO CONGRESS.**

17 (a) BACKLOG ELIMINATION PLAN.—

18 (1) REPORT REQUIRED.—Not later than 90
19 days after the date of enactment of this Act, the At-
20 torney General shall submit a report to the Commit-
21 tees on the Judiciary and Appropriations of the Sen-
22 ate and the House of Representatives concerning—

23 (A) the backlogs in immigration benefit ap-
24 plications in existence as of the date of enact-
25 ment of this Act; and

1 (B) the Attorney General's plan for elimi-
2 nating such backlogs.

3 (2) REPORT ELEMENTS.—The report shall
4 include—

5 (A) an assessment of the data systems
6 used in adjudicating and reporting on the sta-
7 tus of immigration benefit applications,
8 including—

9 (i) a description of the adequacy of
10 existing computer hardware, computer
11 software, and other mechanisms to comply
12 with the adjudications and reporting re-
13 quirements of this Act; and

14 (ii) a plan for implementing improve-
15 ments to existing data systems to accom-
16 plish the purpose of this Act, as described
17 in section 2(b);

18 (B) a description of the quality controls to
19 be put into force to ensure timely, fair, accu-
20 rate, and complete processing and adjudication
21 of such applications;

22 (C) the elements specified in subsection
23 (b)(2);

24 (D) an estimate of the amount of appro-
25 priated funds that would be necessary in order

1 to eliminate the backlogs in each category of
2 immigration benefit applications described in
3 subsection (b)(2); and

4 (E) a detailed plan on how the Attorney
5 General will use any funds in the Immigration
6 Services and Infrastructure Improvements Ac-
7 count to comply with the purposes of this Act.

8 (b) ANNUAL REPORTS.—

9 (1) IN GENERAL.—Beginning 90 days after the
10 end of the first fiscal year for which any appropria-
11 tion authorized by section 4(b) is made, and 90 days
12 after the end of each fiscal year thereafter, the At-
13 torney General shall submit a report to the Commit-
14 tees on the Judiciary and Appropriations of the Sen-
15 ate and the House of Representatives concerning the
16 status of—

17 (A) the Immigration Services and Infra-
18 structure Improvements Account including any
19 unobligated balances of appropriations in the
20 Account; and

21 (B) the Attorney General's efforts to elimi-
22 nate backlogs in any immigration benefit appli-
23 cation described in paragraph (2).

24 (2) REPORT ELEMENTS.—The report shall
25 include—

1 (A) State-by-State data on—

2 (i) the number of naturalization cases
3 adjudicated in each quarter of each fiscal
4 year;

5 (ii) the average processing time for
6 naturalization applications;

7 (iii) the number of naturalization ap-
8 plications pending for up to 6 months, 12
9 months, 18 months, 24 months, 36
10 months, and 48 months or more;

11 (iv) estimated processing times adju-
12 dicating newly submitted naturalization ap-
13 plications;

14 (v) an analysis of the appropriate
15 processing times for naturalization applica-
16 tions; and

17 (vi) the additional resources and proc-
18 ess changes needed to eliminate the back-
19 log for naturalization adjudications;

20 (B) the status of applications or, where ap-
21 plicable, petitions described in subparagraph
22 (C), by Immigration and Naturalization Service
23 district, including—

24 (i) the number of cases adjudicated in
25 each quarter of each fiscal year;

1 (ii) the average processing time for
2 such applications or petitions;

3 (iii) the number of applications or pe-
4 titions pending for up to 6 months, 12
5 months, 18 months, 24 months, 36
6 months, and 48 months or more;

7 (iv) the estimated processing times
8 adjudicating newly submitted applications
9 or petitions;

10 (v) an analysis of the appropriate
11 processing times for applications or peti-
12 tions; and

13 (vi) a description of the additional re-
14 sources and process changes needed to
15 eliminate the backlog for such processing
16 and adjudications; and

17 (C) a status report on—

18 (i) applications for adjustments of sta-
19 tus to that of an alien lawfully admitted
20 for permanent residence;

21 (ii) petitions for nonimmigrant visas
22 under section 214 of the Immigration and
23 Nationality Act;

24 (iii) petitions filed under section 204
25 of such Act to classify aliens as immediate

1 relatives or preference immigrants under
2 section 203 of such Act;

3 (iv) applications for asylum under sec-
4 tion 208 of such Act;

5 (v) registrations for Temporary Pro-
6 tected Status under section 244 of such
7 Act; and

8 (vi) a description of the additional re-
9 sources and process changes needed to
10 eliminate the backlog for such processing
11 and adjudications.

12 (3) ABSENCE OF APPROPRIATED FUNDS.—In
13 the event that no funds are appropriated subject to
14 section 4(b) in the fiscal year in which this Act is
15 enacted, the Attorney General shall submit a report
16 to Congress not later than 90 days after the end of
17 such fiscal year, and each fiscal year thereafter, con-
18 taining the elements described in paragraph (2).