

TITLE 8 - ALIENS AND NATIONALITY
CHAPTER 13 - IMMIGRATION AND NATURALIZATION SERVICE
SUBCHAPTER II - IMMIGRATION SERVICES AND INFRASTRUCTURE
IMPROVEMENTS

§ 1574. Reports to Congress

(a) Backlog elimination plan

(1) Report required

Not later than 90 days after October 17, 2000, the Attorney General shall submit a report to the Committees on the Judiciary and Appropriations of the Senate and the House of Representatives concerning—

- (A)** the backlogs in immigration benefit applications in existence as of October 17, 2000; and
- (B)** the Attorney General's plan for eliminating such backlogs.

(2) Report elements

The report shall include—

- (A)** an assessment of the data systems used in adjudicating and reporting on the status of immigration benefit applications, including—
 - (i)** a description of the adequacy of existing computer hardware, computer software, and other mechanisms to comply with the adjudications and reporting requirements of this subchapter; and
 - (ii)** a plan for implementing improvements to existing data systems to accomplish the purpose of this subchapter, as described in section 1571 (a) of this title;
- (B)** a description of the quality controls to be put into force to ensure timely, fair, accurate, and complete processing and adjudication of such applications;
- (C)** the elements specified in subsection (b)(2) of this section;
- (D)** an estimate of the amount of appropriated funds that would be necessary in order to eliminate the backlogs in each category of immigration benefit applications described in subsection (b)(2) of this section; and
- (E)** a detailed plan on how the Attorney General will use any funds in the Immigration Services and Infrastructure Improvements Account to comply with the purposes of this subchapter.

(b) Annual reports

(1) In general

Beginning 90 days after the end of the first fiscal year for which any appropriation authorized by section 1573 (b) of this title is made, and 90 days after the end of each fiscal year thereafter, the Attorney General shall submit a report to the Committees on the Judiciary and Appropriations of the Senate and the House of Representatives concerning the status of—

- (A)** the Immigration Services and Infrastructure Improvements Account including any unobligated balances of appropriations in the Account; and
- (B)** the Attorney General's efforts to eliminate backlogs in any immigration benefit application described in paragraph (2).

(2) Report elements

The report shall include—

- (A)** State-by-State data on—
 - (i)** the number of naturalization cases adjudicated in each quarter of each fiscal year;
 - (ii)** the average processing time for naturalization applications;

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

- (iii) the number of naturalization applications pending for up to 6 months, 12 months, 18 months, 24 months, 36 months, and 48 months or more;
 - (iv) estimated processing times adjudicating newly submitted naturalization applications;
 - (v) an analysis of the appropriate processing times for naturalization applications; and
 - (vi) the additional resources and process changes needed to eliminate the backlog for naturalization adjudications;
- (B) the status of applications or, where applicable, petitions described in subparagraph (C), by Immigration and Naturalization Service district, including—
- (i) the number of cases adjudicated in each quarter of each fiscal year;
 - (ii) the average processing time for such applications or petitions;
 - (iii) the number of applications or petitions pending for up to 6 months, 12 months, 18 months, 24 months, 36 months, and 48 months or more;
 - (iv) the estimated processing times adjudicating newly submitted applications or petitions;
 - (v) an analysis of the appropriate processing times for applications or petitions; and
 - (vi) a description of the additional resources and process changes needed to eliminate the backlog for such processing and adjudications; and
- (C) a status report on—
- (i) applications for adjustments of status to that of an alien lawfully admitted for permanent residence;
 - (ii) petitions for nonimmigrant visas under section 1184 of this title;
 - (iii) petitions filed under section 1154 of this title to classify aliens as immediate relatives or preference immigrants under section 1153 of this title;
 - (iv) applications for asylum under section 1158 of this title;
 - (v) registrations for Temporary Protected Status under section 1254a of this title; and
 - (vi) a description of the additional resources and process changes needed to eliminate the backlog for such processing and adjudications.

(3) Absence of appropriated funds

In the event that no funds are appropriated subject to section 1573 (b) of this title in the fiscal year in which this Act is enacted, the Attorney General shall submit a report to Congress not later than 90 days after the end of such fiscal year, and each fiscal year thereafter, containing the elements described in paragraph (2).

(Pub. L. 106–313, title II, § 205, Oct. 17, 2000, 114 Stat. 1263.)

References in Text

The fiscal year in which this Act is enacted, referred to in subsec. (b)(3), is the fiscal year in which Pub. L. 106–313, which was approved Oct. 17, 2000, was enacted.

Abolition of Immigration and Naturalization Service and Transfer of Functions

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.