

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4042

To require a report on the timeliness of processing applications for naturalization.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1994

Mr. FARR of California (for himself, Mr. DELLUMS, Ms. SCHENK, Mr. PASTOR, Mr. TORRES, Mr. BECERRA, Mr. BERMAN, Mr. BEILENSON, Mr. FILNER, Ms. ROYBAL-ALLARD, and Mr. FAZIO) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To require a report on the timeliness of processing applications for naturalization.

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. REPORT ON TIMELINESS IN THE PROCESSING**  
4 **OF APPLICATIONS FOR NATURALIZATION.**

5 (a) IN GENERAL.—Not later than January 31, 1995,  
6 the Commissioner of Immigration and Naturalization shall  
7 submit to the Congress a report on timeliness in the proc-  
8 essing of applications for naturalization. The report shall  
9 include—

1 (1) information, described in subsection (b),  
2 concerning timeliness in the processing of applica-  
3 tions for naturalization;

4 (2) analyses, described in subsection (c), of the  
5 reasons for any excessive delays in processing appli-  
6 cations and of the resources needed to eliminate  
7 such delays; and

8 (3) a plan, described in subsection (d), to elimi-  
9 nate such excessive delays.

10 (b) INFORMATION IN REPORT.—

11 (1) EXCESSIVE DELAY.—The report required by  
12 subsection (a) shall include a statement of—

13 (A) the number of applications for natu-  
14 ralization that were not approved or dis-  
15 approved within 120 days of the date on which  
16 the Immigration and Naturalization Service re-  
17 ceived them; and

18 (B) the number of individuals who were  
19 not sworn in as citizens within 45 days of the  
20 date of the approval of their applications for  
21 naturalization.

22 (2) ADDITIONAL INFORMATION.—The report  
23 required by subsection (a) also shall include the  
24 following:

1 (A) TIME TAKEN TO PROCESS.—A state-  
2 ment of the average length of time that  
3 elapsed—

4 (i) from the date that an application  
5 for naturalization was received by the INS  
6 to the date that the application was filed;

7 (ii) from the date that an application  
8 for naturalization was filed to the date  
9 that the applicant completed the interview  
10 used to fulfill requirements of the Immi-  
11 gration and Nationality Act (8 U.S.C.  
12 1101 et seq.);

13 (iii) from the date that the applicant  
14 completed the interview to the date that  
15 the application was approved; and

16 (iv) from the date that an application  
17 for naturalization was approved to the date  
18 that the applicant was sworn in as a  
19 citizen.

20 (B) NUMBER OF APPLICATIONS IN SYS-  
21 TEM.—A statement, for January 1, April 1,  
22 July 1, and October 1 of each relevant year, of  
23 the number of applicants—

1 (i) whose applications for naturaliza-  
2 tion were received by the INS but not yet  
3 filed;

4 (ii) whose applications for naturaliza-  
5 tion were filed, but who had not yet com-  
6 pleted the interview used to fulfill require-  
7 ments of the Immigration and Nationality  
8 Act (8 U.S.C. 1101 et seq.);

9 (iii) who had completed the interview  
10 but whose applications for naturalization  
11 had not yet been approved or disapproved;  
12 and

13 (iv) whose applications had been ap-  
14 proved, but who had not yet been sworn-  
15 in.

16 (C) NUMBER OF APPLICATIONS RE-  
17 CEIVED.—A statement of—

18 (i) the number of applications for nat-  
19 uralization that were received by the INS;  
20 and

21 (ii) the number of applications for  
22 naturalization that the INS expects to re-  
23 ceive in each of the calendar years 1994,  
24 1995, 1996, 1997, and 1998, and an ex-

1 planation of how the expected numbers of  
2 applications were calculated.

3 (D) ADEQUACY OF FEES.—A statement  
4 of—

5 (i) the amount of money the INS col-  
6 lects by imposing fees for the processing of  
7 applications for naturalization;

8 (ii) what expenses are paid with the  
9 money from such fees; and

10 (iii) the cost of processing applications  
11 for naturalization.

12 (3) BREAKDOWN OF INFORMATION BY OFFICE  
13 AND YEAR.—The information required by this sub-  
14 section shall be reported—

15 (A) by office, for each regional and district  
16 office of the INS that is located in the United  
17 States; and

18 (B) by year, for applications received by  
19 the INS in the calendar years 1991, 1992, and  
20 1993, except for the information required by  
21 paragraph (2)(C)(ii).

22 (c) ANALYSES IN REPORT.—

23 (1) REASONS FOR DELAY.—The report required  
24 by subsection (a) shall include a statement of the

1 reasons for the excessive delay reported under sub-  
2 section (b)(1).

3 (2) RESOURCES NEEDED.—The report required  
4 by subsection (a) also shall include a detailed list of  
5 the budgetary, staff, and other resources—

6 (A) that are used to process applications  
7 for naturalization; and

8 (B) that would be adequate to process ap-  
9 plications for naturalization in a timely manner.

10 (3) BREAKDOWN OF ANALYSES.—The analyses  
11 required by paragraphs (1) and (2) shall be re-  
12 ported—

13 (A) by type of excessive delay, according to  
14 the categories described in subsection (e)(1);  
15 and

16 (B) by office and year, according to the  
17 categories described in subsection (b)(3).

18 (d) PLAN TO IMPROVE TIMELINESS.—

19 (1) IN GENERAL.—The report required by sub-  
20 section (a) shall include a plan specifying how the  
21 INS will process applications for naturalization in a  
22 timely manner, including—

23 (A) how the INS will process applications  
24 for naturalization that are received by the INS  
25 after April 30, 1995, in a timely manner, tak-

1 ing into account the expected future increase in  
2 the number of applications for naturalization;  
3 and

4 (B) how the INS will process applications  
5 that are received by the INS on or before April  
6 30, 1995, in order to eliminate, by April 30,  
7 1996, the backlog composed of individuals who  
8 are experiencing excessive delay.

9 (2) SPECIFICS.—The plan required by para-  
10 graph (1) shall include—

11 (A) suggested methods to utilize existing  
12 INS staff more effectively;

13 (B) an evaluation of the possibility of  
14 using computer technology to improve the proc-  
15 essing of applications for naturalization; and

16 (C) proposals for any statutory change or  
17 other congressional action that the Commis-  
18 sioner of Immigration and Naturalization be-  
19 lieves is necessary to process applications for  
20 naturalization in a timely manner.

21 (e) DEFINITIONS.—For purposes of this section:

22 (1) The term “excessive delay” means the fol-  
23 lowing types of delay:

24 (A) A delay of more than 120 days be-  
25 tween the date that an application for natu-

1           ralization is received by the INS and the date  
2           that the application is approved or disapproved.

3           (B) A delay of more than 45 days between  
4           the date that an application for naturalization  
5           is approved and the date that the applicant is  
6           sworn in as a citizen.

7           (2) The term “filed” means entered into a com-  
8           puter system used by the INS.

9           (3) The term “INS” means the Immigration  
10          and Naturalization Service.

11          (4) The term “timely manner” means without  
12          excessive delay.

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