



The Case Backlog and Transparency Act of 2020 (H.R. 5971)

Overview

The Case Backlog and Transparency Act of 2020 is a vital measure for addressing U.S. Citizenship and Immigration Services (USCIS)'s severe case processing delays. Though Congress mandated that USCIS efficiently administer our legal immigration system, in recent years the agency's processing delays have reached acute levels. From Fiscal Years 2014 to 2018, the average processing time increased by 91%, while the agency's net backlog of delayed cases grew from about 544,000 to over 2.4 million. According to USCIS's own figures, processing times have surged by 25 % between FY 17 and FY 19, despite a 10 % decrease in overall receipts.¹ This slowdown is causing hardship for individuals, families, and U.S. businesses nationwide that depend on timely adjudications.

By establishing new USCIS and Government Accountability Office (GAO) reporting requirements, the Case Backlog Transparency and Accountability Act of 2020 would enhance visibility into the status of, factors behind, and potential solutions for, the backlog. In doing so, the Act would promote timelier adjudications that align with USCIS's mandate, meet the needs of families and companies throughout the country, serve the public interest and ensure that the standards of good governance are being met regardless of Administration.

Bill Highlights

The Case Backlog Transparency and Accountability Act of 2020 would:

- ✓ Establish a quarterly USCIS report on the status of its case backlog
- ✓ Strengthen USCIS's existing annual reporting requirements, resulting in an annual USCIS report featuring:
 - Analysis of factors contributing to the case backlog, including an assessment of the impact of the agency's own policies on processing times
 - A plan for eliminating the backlog

¹ See Historical National Average Processing Time for All USCIS Offices, available at: <https://egov.uscis.gov/processing-times/historic-pt>; see also Immigration and Citizenship Data available at https://www.uscis.gov/tools/reports-studies/immigration-forms-data?topic_id=23035&field_native_doc_issue_date_value%5Bvalue%5D%5Bmonth%5D=&field_native_doc_issue_date_value_1%5Bvalue%5D%5Byear%5D=&combined=&items_per_page=10.

- Key data on USCIS case processing efficiency
- Updates on quality control mechanisms for ensuring accurate and consistent adjudications
- ✓ Establish a biennial GAO report featuring:
 - Analysis of factors contributing to the case backlog, including an assessment of the impact of the agency's own policies on processing times
 - An assessment of USCIS procedures for measuring the impact of its policies on processing times
 - An evaluation of USCIS's efforts to eliminate the backlog and to ensure accurate and consistent adjudications
 - Recommendations for more expeditiously processing cases
- ✓ Ensure that USCIS and GAO publish these reports on their websites