

istration costs for the Employment Status Verification [E-Verify] program, which allows businesses to determine the eligibility of their employees to work in the United States.

COMMITTEE RECOMMENDATIONS

Additional Funding.—The recommendation includes an additional \$183,000,000, which is intended for the following purposes: \$143,000,000 is for the processing of employment authorization applications (form I-765), of which \$71,500,000 is to address the existing employment authorization backlog and \$71,500,000 is to ensure that USCIS can keep pace with newly filed work authorization applications to meet all existing timelines; and \$40,000,000 is for affirmative asylum backlog reduction, but not for the implementation of the proposed asylum processing rule. Within 60 days of the date of enactment of the act, and quarterly thereafter, USCIS is directed to brief the Committees on the plan for this funding and to include demonstrable evidence that it is being used to reduce the processing time, thus enabling applicants to work lawfully and employers to hire necessary labor, and to address the ongoing affirmative asylum backlog.

Asylum Officer Rule.—Within 60 days of the date of enactment of this act and quarterly thereafter, USCIS is directed to brief the Committee on the implementation of the Asylum Officer rule. The brief shall include data on the number of Asylum Officers, the number of Asylum Merits Interviews conducted, outcomes of such interviews, including, but not limited to, the number approved, denied, administratively closed, and pending, and the Field Office location of such interviews. USCIS is directed to publicly report the number of individuals referred to immigration proceedings or to ICE or CBP for enforcement actions.

Civil Surgeon Access and Cost.—The Committee is concerned about reported delays to access and costs to become a Civil Surgeon. Within 60 days of the date of enactment of this act, USCIS shall provide a report to the Committee examining whether any fees to access or to become a Civil Surgeon can be adjusted, reduced, or waived, to ensure that vulnerable populations can access a Civil Surgeon and to increase the number of available Civil Surgeons. The report shall also include an analysis of whether minimum professional experience requirements under 8 CFR 232.2 are a hindrance to additional Civil Surgeons.

Cost of Employment-Based Visas.—The Committee is concerned about the proposed increase in fees for employment-based visas. The Committee recognizes that the Federal law permits USCIS to set fees at a level to that ensures recovery of the full costs of adjudicating all applications and petitions, which means that fee paying customers can be required to offset the costs of fee waivers and exemptions. However, the Committee is concerned that at some point, costs to seek a lawful immigration benefit, irrespective of whether such benefit is in the family or employment-based system, may become too cost prohibitive. Within 90 days of the date of enactment of this act, USCIS shall brief the Committee on a comprehensive plan to request Congressional appropriations for certain applications and petitions, so that the costs to American businesses and families using USCIS services, remain affordable.

Electronic Processing.—The Committee supports the completion and implementation of an electronic filing and processing system for immigration benefits at USCIS but remains frustrated by the lengthy process required to bring applications and petitions fully into e-processing. Within 30 days of the date of enactment of this act, USCIS shall continue to brief the Committee on the efforts to implement an electronic filing and processing system for immigration benefits, the current technological challenges facing the agency's completion and implementation of such a system, and the steps and timeline the agency will be using to complete an electronic filing and processing system for all immigration benefits.

Employment Authorization Application Deadlines.—The Committee directs USCIS to produce a report, not less than annually, summarizing all adjudication timelines, the source of the timeline, and whether the agency met the timeline for the prior fiscal year.

Fee Waivers and Application and Petition Costs.—The Committee directs USCIS to maintain naturalization fees at an affordable level and to continue the use of full fee waivers for applicants who can demonstrate an inability to pay immigration and naturalization benefit application fees. The Committee directs USCIS to consider accepting any one of the following items as proof of inability to pay an immigration or naturalization benefit application fee for the purposes of qualifying for a full fee waiver: documentation of receipt of a means-tested public benefit; documentation of income that is at or below 200 percent of the Federal Poverty Guidelines at the time of filing; or documentation of financial hardship, based on extraordinary circumstances. To ensure that derivative and naturalized citizens can contribute to and participate fully in our economy and democracy, the Committee further directs USCIS to reduce the costs of obtaining replacement certificates of naturalization and certificates of citizenship. The Committee recognizes that immigration statutes, regulations, settlement agreements, and Administrative priorities require fee waivers and fee reductions for people seeking to adjust their status. However, this means that USCIS must absorb these costs. Therefore, not later than 60 days from the date of enactment of this act and quarterly thereafter, USCIS shall provide to the Committee a brief on lost revenue as a result of fee waivers. This brief shall include historical data from the previous five fiscal years.

Forms Modernization.—Within 180 days of the date of enactment of this act, USCIS shall brief the Committee on the status of USCIS efforts to comply with the 21st Century Integrated Digital Experience Act [IDEA] (Public Law 115–336) which requires agencies to digitize paper-based forms.

H-1B Fraud.—The Committee commends USCIS for its recognition of potential fraud within the H-1B program and for taking swift action to address it. The Committee shares USCIS' concerns as it relates to H-1B fraud. Not later than 60 days after the date of enactment of this act and quarterly thereafter, USCIS shall provide to the Committee detail information on its continued efforts to identify and combat H-1B fraud to include the number of fraudulent applications identified and actions taken to hold accountable those who perpetrate such fraud.