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10TH DISTRICT, CALIFORNIA
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INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
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Congress of the United States
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July 7, 2021

Tracy Renaud
Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, D.C. 20529

Dear Director Renaud,

I write today urging U.S. Citizenship and Immigration Services (USCIS) to immediately address the backlog of Deferred Action for Childhood Arrivals (DACA) program applications. Without timely approval, DACA applicants are unable to live and work legally in the only country they've ever called home.

The delay in processing DACA applications—which comes after years of uncertainty for Dreamers and their families—is deeply concerning. Based on a USCIS agency report, only 763 DACA requests have been approved from January to March of this year, meaning less than 2% of all applications received were approved during this time period¹. These delays have contributed to a backlog of over 55,000 DACA applications pending review and leave some applicants in California waiting almost a year to receive a decision². My constituents have no insight into the status of their pending applications.

For the almost 200,000 Dreamers in California, the DACA program allows them to fully participate in our community—to obtain drivers licenses, open bank accounts, and find jobs that lead to financial independence. Through this program, Dreamers not only contribute to the economy, but they enrich the communities around them. They are our friends, our essential workers helping keeping America fed and safe during this pandemic, and they are our family. When rebuilding our economy after this pandemic, we must ensure that Dreamers aren't left behind and can fully participate in the current recovery.

Considering these delays, I demand that the USCIS accelerate the DACA application processing, as well as provide my constituents with an updated timeline for those applications still under review. I look forward to your prompt response.

Sincerely,



Josh Harder
Member of Congress

¹ USCIS, [Number of Form I 821D. Consideration of Deferred Action for Childhood Arrivals - Requests by Intake and Case Status, by Fiscal Year](#). June 22, 2021.

² USCIS Case Processing Times for requests for Deferred Action, 1-821D at California Service Center. Accessed on July 6, 2021 at <https://egov.uscis.gov/processing-times/>



U.S. Citizenship
and Immigration
Services

July 30, 2021

The Honorable Josh Harder
United States House of Representatives
Washington, DC 20515

Dear Representative Harder:

Thank you for your July 7, 2021 letter to U.S. Citizenship and Immigration Services (USCIS). We appreciate your concerns and inquiry regarding processing times for Deferred Action for Childhood Arrivals (DACA) requests.

The health and safety of our workforce and communities remains a top priority. Across all USCIS offices, the agency has taken necessary measures to mitigate the spread of COVID-19. This included temporarily suspending in-person services for a few months in 2020 and taking a phased approach to reopening in order to follow the necessary health and safety protocols in accordance with the Centers for Disease Control and Prevention guidance. Some locations that have been severely impacted by COVID-19 had to adhere to stricter local guidelines. As a result, USCIS' capacity to capture biometrics and adjudicate cases had been limited due to restrictions and procedural changes necessary to comply with health, safety, and social distancing protocols during the COVID-19 pandemic. USCIS acknowledges that this, and several other factors, including unexpected technical issues, training or re-training time, and delays for biometrics appointments, had caused some DACA requests to be processed outside of previously stated processing time goals.

USCIS is committed to implementing the January 20, 2021, Presidential Memorandum entitled *Preserving and Fortifying Deferred Action for Childhood Arrivals (DACA)*. However, please note that pursuant to the July 16, 2021 order from the Southern District of Texas in *State of Texas, et al. v. United States of America, et al.* 1:18-CV-00068 (S.D. Texas July 16, 2021) ("Texas II"), USCIS is prohibited from granting initial DACA requests and accompanying requests for employment authorization. DACA renewal requests are not affected by the court order and USCIS continues to process and adjudicate renewal requests. USCIS is proud to play an important role in implementing DACA. DACA recipients are students, military service members, essential workers, and part of our communities in every way, shape, and form. USCIS will comply with the court order, continue to implement the components of DACA that remain in

place, and work on publishing a Notice of Proposed Rulemaking designed to strengthen and fortify DACA.

Consistent with the order, USCIS continues to accept the filing of both initial and renewal DACA requests but, USCIS is no longer scheduling biometrics appointments at the Application Support Centers (ASC) for initial DACA requestors, and has placed all pending DACA initial requests on hold.

Because your letter was received prior to the *Texas II* decision, USCIS will outline the steps it had undertaken, *prior to decision*, to process DACA requests in a more timely manner.

USCIS identified and addressed a technical problem that was causing a delay at the A-number validation stage. Upon identifying the issue, USCIS adopted technological enhancements, making the A-number validation process more efficient while still maintaining the integrity of Department of Homeland Security immigration records.

USCIS also identified and shifted resources amid insufficient staffing levels due to fiscal challenges, built new case management system enhancements, and trained and reassigned officers to process initial DACA filings.

USCIS also allowed for the reuse of biometrics from a previous collection, where available, for a DACA requestor. Between January 1, 2021 and May 31, 2021, USCIS received approximately 156,000 DACA renewal requests. Of this population, nearly 140,000 requests had biometrics reused, significantly streamlining the adjudication process.

USCIS also made progress on getting a significant percentage of first-time DACA requestors scheduled for biometrics appointments. USCIS did this by balancing Application Support Center (ASC) resources to ensure that first time DACA requestors were getting scheduled for biometrics appointments when biometrics reuse was not possible and by extending hours the hours of operation in some ASCs, including at the ASC located in San Jose, CA. However, as a result of the the *Texas II* decision, all pending biometrics appointments for all initial DACA requestors that were scheduled after July 16 were cancelled.

Importantly, DACA renewals, which are processed at the Nebraska Service Center, are currently within normal processing time goals and as stated above, renewal requests are not enjoined by the *Texas II* decision. USCIS aims to process DACA renewal requests within 120 days. Despite the challenges of operating during the COVID-19 pandemic, [USCIS' Historical Data](#) webpage shows the median processing time for DACA renewals through June 30 of fiscal year 2021 is 1.4 months (approximately 42 days). We will continue to see out efficiencies for the DACA renewal process.

The Honorable Josh Harder
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Thank you again for your letter. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Sincerely,

A handwritten signature in black ink that reads "Tracy L. Renaud". The signature is written in a cursive style with a large, sweeping initial 'T'.

Tracy L. Renaud
Acting Director