

Congress of the United States

Washington, DC 20515

July 31, 2023

Secretary Alejandro Mayorkas
The Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528

RECEIVED

By ESEC at 8:25 am, Aug 01, 2023

Director Ur Mendoza Jaddou
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, Maryland 20588

Dear Secretary Mayorkas and Director Jaddou,

I write to ask you to expand the USCIS services available in Westchester County, New York as its communities work to welcome and support growing numbers of new migrants. I specifically urge you to include additional services for asylum-seekers and to expedite the process for asylum-seekers to obtain work authorization, and I also echo the county's proposal for the establishment of a Federal Field Immigration Court in Westchester.

Due to the recent influx of asylum seekers in my district of NY-16, and the expansion of shelter sites to Westchester, there is a growing need to staff and support asylum-related immigration services offered within the county. I support Westchester County Executive George Latimer's call to open a Federal Immigration court in Westchester, and his suggestion that you consider utilizing retired judges and other personnel to staff this court. I request that you give this proposal timely consideration, and I would welcome the opportunity to collaborate with you on the effort.

Additionally, I ask USCIS to broaden services offered at the Port Chester location, and open additional service sites. Currently, according to the USCIS website, the closest office to Westchester, NY, that offers asylum services is located in Bethpage, NY.¹ According to Google Maps, this is a one hour drive and a nearly three hour trip using public transportation. For asylum-seekers housed at the Ardsley shelter location, this travel is neither financially nor logistically feasible. By contrast, if these services were to be offered at the Port Chester location, an asylum-seeker housed at an Ardsley shelter could access the office with a twenty minute drive or an hour and fifteen minute commute by public transit. With expanded access to these

¹ *Case Status Online*, egov.uscis.gov/office-locator/#/asyprofile/NY/Bethpage/ZNY. Accessed 24 July 2023.

resources, asylum-seekers currently residing in Westchester would have a more efficient and accessible means of filing and adjudicating their claims.

Nonprofits in our district are doing their best to support asylum-seekers, but given the high degree of need, we urge USCIS to help bring these services closer to asylum-seekers in our district to promote a more equitable application process.

In addition to opening additional USCIS services and Immigration Courts, I also would like to reiterate my previous calls, along with my Congressional colleagues, to eliminate the existing arbitrary wait time between applying for asylum and obtaining a work VISA. The barrier to obtain work authorization is an additional barrier asylum-seekers face when needing to travel to USCIS service sites and fairly file an asylum claim.

Allowing asylum applicants to obtain work permits at the same time they apply for asylum would address a major barrier to the fair filing of asylum claims. Many asylum-seekers in my district are expressing a sincere desire to work and support their family while raising funds for the legal representation needed to fairly process their asylum cases. The inability to obtain a work permit in a timely manner not only restricts their ability to do this, damaging their right to due process by making legal services financially inaccessible, but also places a larger financial burden on our governments, housing facilities, and nonprofits, since asylum-seekers are barred from working for months after their arrival. Eliminating the arbitrary wait time would similarly contribute to a more equitable asylum process in this country.

Thank you for your timely attention to these requests. I look forward to working together to ensure all individuals seeking asylum in our country have the means to fairly file their case, have their case heard in a timely manner, and access dignified work. Our country is at its finest when it welcomes our newcomer immigrants with compassion, dignity, and respect.

Sincerely,



Jamaal Bowman, Ed.D.
Member of Congress



U.S. Citizenship
and Immigration
Services

October 4, 2023

The Honorable Jamaal Bowman
U.S. House of Representatives
Washington, DC 20515

Dear Representative Bowman:

Thank you for your July 31, 2023 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

We acknowledge that accessibility to our services is important to support immigrants in your district. To facilitate efficient and accessible filings, USCIS recently improved intake of the Form I-589, Application for Asylum and for Withholding of Removal, by utilizing Lockbox facilities for applications submitted by mail and providing online filing to certain applicants. More information can be found at <https://www.uscis.gov/i-589> and the Form I-589 Filing Instructions Tool at <https://www.uscis.gov/humanitarian/form-i-589-filing-instructions-tool>.

USCIS understands that some asylum applicants who receive an interview notice may have difficulty accessing an asylum office. Individuals in such situations are encouraged to contact the asylum office where the interview is scheduled as soon as possible to explore possible options, such as rescheduling the interview. Office contact information can be found at <https://egov.uscis.gov/office-locator/#/asy>.

An asylum office may reschedule an interview if it is the applicant's first request to reschedule and the request is received before the scheduled interview date. Rescheduling an interview, however, may create an applicant-caused delay as the 150-day waiting period and the 180-day eligibility period for an Employment Authorization Document (EAD) adjudication based on a pending asylum application do not include delays that are requested or caused by the applicant. This delay will be resolved when the applicant appears for their rescheduled interview.

We acknowledge your request for additional support for asylum seekers in Westchester County, New York, and will take it under consideration. You mentioned the U.S. Citizenship and Immigration Services (USCIS) Port Chester Application Support Center (ASC) location where asylum-seekers and other persons requesting a benefit from USCIS currently receive limited support services. ASCs process biometric services appointments (fingerprints, photographs, and signatures); however, there are no direct filings of applications, asylum interviews or case services relating to the status of applications at ASCs. As applicants pass

though the immigration process, services for asylum seekers, such as asylum interviews, are handled at asylum offices with resources more specifically dedicated to these case services.

With regard to establishing an immigration court, we must refer you to the Department of Justice's Executive Office for Immigration Review, which administers the immigration courts.

USCIS appreciates your recommendation to eliminate the period an asylum applicant must wait before seeking employment authorization. However, section 208(d)(2) of the Immigration and Nationality Act states that no employment authorization shall be issued to an asylum applicant prior to 180 days after filing the asylum application. Only Congress can reduce the 180-day period. Nevertheless, USCIS is committed to exploring all available avenues to eliminate unnecessary barriers, restore faith in the immigration system, and improve transparency, efficiency, and customer experience.

For example, in July 2023, approximately 90 percent of asylum-based applications for initial employment authorization were adjudicated within 30 days of filing, and approximately 98 percent were completed within 60 days of filing. In January 2023, USCIS announced that certain asylum applicants can now file Form I-765, Application for Employment Authorization, online. USCIS continues to explore technological solutions and efficiencies to reduce processing times.

Thank you again for your letter and interest in this important issue. For additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal line extending to the right.

Ur M. Jaddou
Director