

RECEIVED

By ESEC at 11:24 am, Jul 09, 2020

July 9, 2020

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
3801 Nebraska Ave NW
Washington, DC 20016

The Honorable L. Francis Cissna
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, D.C. 20529

Dear Acting Secretary Wolf and Director Cissna:

I write to request clarification on the June 29, 2020 decision to furlough 13,400 employees of United States Citizenship and Immigration Services (USCIS). I also request that USCIS provide my office with an explanation of how the agency's \$1.2 billion request for additional funding will address the existing processing backlog.

Over 95 percent of USCIS' total budget comes from petitioner fees. Recent Department of Homeland Security (DHS) policies have contributed to the processing and funding challenges that now jeopardize an estimated 13,400 employees. Since the Trump Administration took office, the agency has implemented stricter scrutiny of applications, increased the number of USCIS staff, and suspended new applications for a number of visa programs through December 2020. These actions shrink the agency's effective spending ability and leave petitioners with uncertain futures. 650,000 citizenship applications were already pending as of December 31, 2019. The furlough of over half of USCIS employees will further limit operations and increase hurdles to the processing of visas and immigration petitions.

To that end, I request that you clarify the following:

1. If granted, how will the \$1.2 billion of additional funding be used towards ensuring that applications are processed in a timely manner? What steps will DHS take to remedy delayed processing times of petitions already filed at USCIS?
2. What steps is DHS taking to ensure that additional scrutiny of applications is not unnecessarily causing added burden to petitioners?

Our immigrant communities are the lifeblood of the nation's identity and a vital engine of economic success. It is critical that USCIS assist those with already existing applications in a timely manner.

I look forward to your response.

Sincerely,

A handwritten signature in blue ink, reading "Michael F. Bennet". The signature is fluid and cursive, with the first name "Michael" written in a large, stylized script, followed by "F." and "Bennet" in a similar but slightly more compact style.

Michael F. Bennet
United States Senator



**U.S. Citizenship
and Immigration
Services**

August 5, 2020

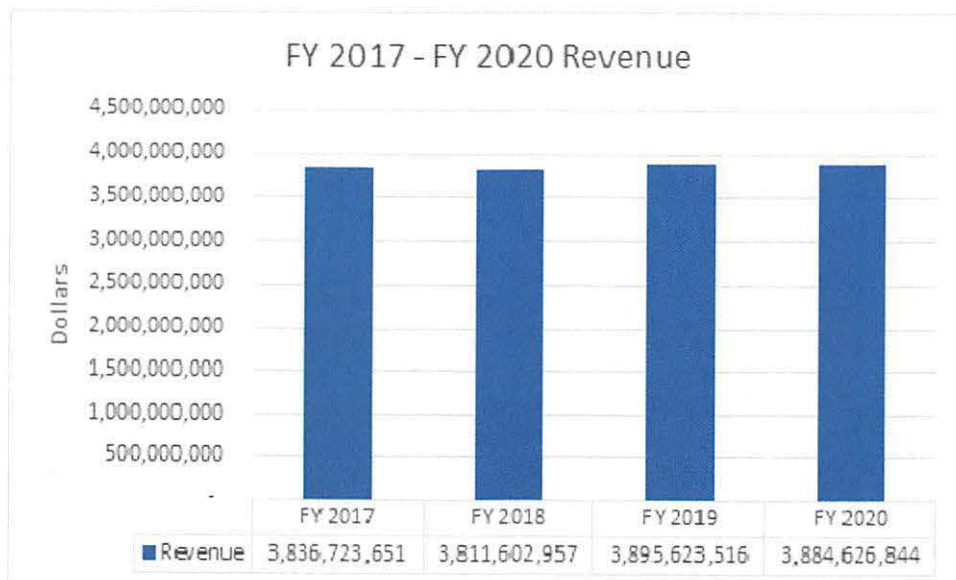
The Honorable Michael F. Bennet
United States Senate
Washington, DC 20510

Dear Senator Bennet:

Thank you for your July 9, 2020 letter regarding the current financial situation of U.S. Citizenship and Immigration Services (USCIS) and our potential administrative furlough. Acting Secretary Wolf asked that I respond on his behalf.

Due to recent assurances from members of Congress that they are working to provide USCIS with emergency funding, we were able to delay the effective date of the administrative furlough from August 3, 2020 to August 30, 2020 to allow Congress more time to act.

In your letter, you request clarification on the recent decision to furlough approximately 13,400 USCIS employees. You state that recent Department of Homeland Security (DHS) policies have contributed to the processing and funding challenges. Importantly, there is no data or evidence to suggest that the Administration's policies have caused a significant reduction in revenue. In fact, the chart below depicts relatively flat revenue from fiscal year (FY) 2017 – FY 2020 (note: FY 2020 revenue is a pre-COVID-19 estimate):



* FY 2020 revenue is a pre-COVID-19 estimate

The Honorable Michael F. Bennet
Page 2

Please see the enclosure for responses to the specific questions in your inquiry.

Thank you again for your letter and interest in this important issue. I look forward to working with you and other members of Congress on this critical matter. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a horizontal line that extends to the right.

Joseph Edlow
Deputy Director for Policy

Enclosure

**The Department of Homeland Security's Response to
Senator Bennet's July 9, 2020 Letter**

- 1. If granted, how will the \$1.2 billion of additional funding be used towards ensuring that applications are processed in a timely manner? What steps will DHS take to remedy delayed processing times of petitions already filed at USCIS?**

The \$1.2 billion will be used to fund payroll for the 13,400 USCIS employees who received furlough notices as well as fund other mission critical expenses, including rent, physical security, and systems (IT) contracts. Most importantly, by not having to furlough a significant percentage of our employees that adjudicate applications and petitions, USCIS will be able to meet our mission of efficiently adjudicating requests for immigration benefits (including those that require face-to-face interviews) and conducting naturalization ceremonies, by sustaining our current capacity rates and avoiding a significant reduction in our level of services. The funding will put USCIS in a solid financial position as we end fiscal year (FY) 2020 and start FY 2021.

- 2. What steps is DHS taking to ensure that additional scrutiny of applications is not unnecessarily causing added burden to petitioners?**

USCIS is always reviewing and evaluating our processes, looking for efficiencies and considering changes. We have faced many challenges during the coronavirus pandemic, but the pandemic has also provided an opportunity for our workforce to look at our methods and consider innovative and creative solutions.

We must review each benefit request on a case-by-case basis, under proper application of law and regulation, based on the evidence presented. It is incumbent on USCIS to protect the integrity of the immigration system and ensure no benefit is provided to an applicant or beneficiary who is not eligible, is a threat to our nation's security, or who has committed fraud. It is important to note, however, that these critical checks are increasingly being automated to increase efficiency and accuracy of the result. In many cases these improvements have decreased the burden on applicants and petitioners.