The Honorable Lee Francis Cissna  
Director  
U.S. Citizenship and Immigration Services  
111 Massachusetts Ave. NW  
Washington, D.C. 20529  

Director Cissna,  

We write to express our grave concerns about the alarming growth in processing delays at U.S. Citizenship and Immigration Services (USCIS) and request your prompt and detailed response to the inquiries enumerated in this letter.  

Analyses of recent Department of Homeland Security data demonstrate erosion of the agency’s critical services.¹ USCIS was created in 2002, by Congress when it passed the Homeland Security Act, to be a service-oriented, immigration service agency with the mission to adjudicate immigration matters to enable individuals to obtain work authorization, citizenship, humanitarian protection and other important services.  

According to recent reports, including a January 30, 2019 report from the American Immigration Lawyers Association, processing delays at USCIS have reached crisis-levels, with adverse consequences to American families, U.S. businesses, and vulnerable populations seeking humanitarian relief.¹  

Processing delays jeopardize the ability of individuals to work, leaving families without income for food, housing, and healthcare. Domestic abuse survivors, abandoned children, and those seeking asylum or refugee status may be left in life-threatening circumstances without timely adjudication. Finally, U.S. businesses, including farmers and small business owners, rely on USCIS’ processing of work-visas to fill critical workforce gaps in order to remain competitive.  

USCIS data for fiscal years 2014 through 2018 depict a 46% surge in overall average case processing time and a 91% increase since FY 2014.² In an April 2018 report to Congress, DHS identified a net backlog of 2,330,143 USCIS cases at the end of FY 2017, which is more than double the backlog reported after FY 2016 and coincides with the first full year after President Trump took office.³  

¹ AILA, “AILA Policy Brief: USCIS Processing Delays Have Reached Crisis Levels Under the Trump Administration” (January 30, 2019); https://www.aila.org/infonet/aila-policy-brief-uscis-processing-delays?utm_source=Congressplus&utm_medium=CP-Email  
² Id; AILA’s analysis based on data from USCIS webpage, “Historical National Average Processing Times for All USCIS Offices” (November 29, 2018); https://www.aila.org/infonet/processing-time-reports/historical-average-processing-times/uscis-national-average-processing-times-9-30-18  
Clearly, policy changes implemented by the current administration in 2017 and 2018 have increasingly shifted the agency away from its service-oriented mission. Rather than continuing to seek ways to simplify and streamline its benefit-delivery systems, USCIS now appears more focused on erecting barriers to the benefits it administers, including by significantly delaying adjudications.

For these reasons and as part of our Congressional oversight duties, we ask that you provide detailed and prompt responses to the following inquiries and requests:

1. Please identify the causes of the current backlog, including all policies introduced under the current administration that have contributed to the USCIS case backlog.

2. Please provide all analyses performed by the agency on how these policies impact processing times, including but not limited to how the following have contributed to the backlog:
   a. Use of “extreme vetting;”
   b. USCIS’s new in-person interview requirement for relatives of asylees and refugees as well as individuals seeking employment-based green cards;
   c. USCIS’s reversal of longstanding guidance concerning deference towards prior determinations regarding non-immigrant employment extension petitions.

3. In an April 2018 DHS report to Congress, the reported net backlog at the conclusion of FY 2017 exceeded 2.3 million cases. Does this number constitute a new record-high?

4. Please identify the current USCIS “net backlog,” “gross backlog,” and “case completion rate,” as well as those figures at the end of each of the past five fiscal years.

5. USCIS’s proposed FY 2019 budget requested the transfer of over 200 million dollars in fee revenue out of USCIS into ICE. The budget specifies that that money would be used, among other purposes, for the hiring of over 300 ICE enforcement officers. This appears to represent part of USCIS’s larger shift towards prioritizing immigration enforcement over the service-oriented adjudications at the core of the agency’s mandate. Why, at a time when families, vulnerable individuals, and U.S. businesses are suffering around the country due to pervasive USCIS processing delays, did your agency seek to transfer over 200 million dollars of USCIS resources to ICE?

6. USCIS case volume substantially decreased through the first three quarters of FY 2018—the most recent period for which data is publicly available—yet USCIS processing times increased substantially in FY 2018. Why do processing times continue to escalate even as case volume appears to recede?

7. How does USCIS intend to reduce and ultimately eliminate processing delays, while ensuring fairness and quality of adjudications, and without passing the costs of the agency’s inefficiencies onto the applicants and petitioners experiencing hardship due to USCIS’s crisis-level delays?

Whatever the factors may be that are contributing to the current and unprecedented USCIS backlog in processing cases, more must be done to address, reduce, and prevent future delays. The agency was created by Congressional mandate and we, the undersigned Members of Congress, urge the agency to swiftly provide detailed answers to the queries listed above and ask for your ongoing cooperation and full transparency in the efforts to reduce and eliminate the current backlog.

Sincerely,
Debbie Dingell
Member of Congress

Ruben Gallego
Member of Congress

TJ Cox
Member of Congress

Ilhan Omar
Member of Congress

Peter Welch
Member of Congress

Suzan DelBene
Member of Congress

Tony Cardenas
Member of Congress

Nanette Barragan
Member of Congress

Jan Schakowsky
Member of Congress

Norma J. Torres
Member of Congress

Jimmy Gomez
Member of Congress

Mark DeSaulnier
Member of Congress

James P. McGovern
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Alcee L. Hastings
Member of Congress

Gil Cisneros
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Jose Serrano
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Alan Lowenthal
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Kurt Schrader
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Anthony Brown
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Michael San Nicolas
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Sean Patrick Maloney
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Salud O. Carbajal  
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Karen Bass  
Member of Congress