

ANDY BARR
SIXTH DISTRICT, KENTUCKY
COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE ON
NATIONAL SECURITY, INTERNATIONAL
DEVELOPMENT AND MONETARY POLICY:
RANKING MEMBER
SUBCOMMITTEE ON CONSUMER PROTECTION
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Congress of the United States
House of Representatives
Washington, DC 20515

Director Ur Jaddou
20 Massachusetts Ave, NW
Washington, DC 20529

February 10, 2022

Dear Director Jaddou,

I write with great concern regarding the backlog of unprocessed immigration cases due to inaccessible physical immigration files at the National Records Center. Based on the latest numbers we have received, over 700,000 applicants could be affected by these delays. My concern is underscored by the frequent outreach I am receiving from my constituents with requests for assistance and apprehension associated with the status of their physical immigration file.

For example, one of my constituents came to the United States as a refugee seven years ago has yet to receive her citizenship despite having applied almost two years ago in March 2020. Because she has not received citizenship her federal benefits have stopped, despite have disability and health issues that require addressing. Her case has been outside of normal processing since July 2021.

I understand USCIS has a number of important responsibilities, but I am concerned that they have not been given the tools to succeed. This backlog is just another example of bureaucratic inefficiency and must be addressed as soon as possible. Delays create uncertainty for individuals and are extremely costly. These applicants— who are legally coming to the United States to achieve their American Dream— deserve better. That said, I ask you to address the following questions:

1. What is the agency's plan to return to normal operations?
2. Can the agency provide greater context as to why the National Records Center has reached these levels of inefficiency?
3. Does the agency have a plan for addressing this unprecedented backlog of unprocessed physical immigration files while still fulfilling its other obligations, such as processing new applications for naturalization? If yes, please provide us with a copy of the plan.

4. What should applicants do who filed their application, but now might find themselves out of processing times?
5. What will the agency do to make sure that individual applicants do not suffer adverse consequences related to the processing delays at the National Records Center?

This massive backlog is causing significant and unnecessary burdens for individuals and families who cannot get an update on their immigration status. The agency must take urgent action to alleviate it. I request that you answer these questions by March 1, 2022.

Sincerely,

A handwritten signature in blue ink that reads "Andy Barr". The signature is written in a cursive style with a long horizontal stroke at the end.

Andy Barr
Member of Congress

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Camp Springs, MD 20588-0009



U.S. Citizenship
and Immigration
Services

April 8, 2022

The Honorable Andy Barr
U.S. House of Representatives
Washington, DC 20515

Dear Representative Barr:

Thank you for your February 10, 2022 letter to U.S. Citizenship and Immigration Services (USCIS) regarding the backlog of unprocessed immigration cases and inaccessible physical immigration files at the National Records Center. I share your concern about our processing times, and I have launched an agency-wide effort to use all available policy and operational improvements to reduce both the number of pending cases and processing times across the board, to ensure that green cards and other immigration benefits are provided to those who are eligible, while disrupting fraud, detecting national security risks, and ensuring the integrity of the world's largest immigration system.

We have provided responses to your questions in the enclosure. Should you require any 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

Enclosure

U.S. Citizenship and Immigration Services' Response to Representative Andy Barr's February 10, 2022 Letter

1. What is the agency's plan to return to normal operations?

The U.S. Citizenship and Immigration Services (USCIS) National Records Center (NRC) has remained open throughout the pandemic and is operating normally. The concerns that you raise in your letter relate to delays in obtaining A-files stored at Federal Records Centers (FRC) managed by the National Archives and Records Administration (NARA).

USCIS has been informed by NARA that they have also recalled all of their staff to the FRCs and are operating normally as well as adding capacity through the use of overtime. USCIS defers to NARA to further respond to this question. More information on NARA/FRC operating status can be found at <https://www.archives.gov/frc/operating-status>. You may also contact NARA directly for information on NARA's criteria for determining occupancy limits, operating status by site, and post-reentry plans.

2. Can the agency provide greater context as to why the National Records Center has reached these levels of inefficiency?

The USCIS NRC has remained open throughout the pandemic and is operating efficiently. The concerns that you raise in your letter relate to delays in obtaining A-files stored at FRCs managed by NARA. USCIS defers to NARA to further respond to this question.

3. Does the agency have a plan for addressing this unprecedented backlog of unprocessed physical immigration files while still fulfilling its other obligations, such as processing new applications for naturalization? If yes, please provide us with a copy of the plan.

USCIS stores around 51.5 million A-files offsite at NARA's FRCs in the Kansas City area. Volumes are stored at the three primary FRCs: 4.5 million at the Lenexa facility, 12.5 million at the Kansas City facility, and 34.5 million at the Lee's Summit facility.

USCIS staff have been in constant communication with NARA staff who oversee these three FRCs. Prior to the pandemic, these FRCs provided USCIS NRC an average of 62,000 files monthly which were sent to offices worldwide. Unfortunately, during the pandemic USCIS NRC has received only a fraction of our monthly file requests—receiving approximately 11,000 files per month total. With their limited staff and work hours, the FRCs were previously only able to pull files for USCIS for the most urgent matters, such as law enforcement needs, court hearings, litigation cases, and other urgent humanitarian needs. This resulted in a backlog of approximately 355,000 pending requests.

USCIS NRC staff recently entered into an agreement with NARA to send up to 10 USCIS detailed employees into the Kansas City-area FRCs to assist NARA staff with pulling files to help alleviate the backlog. NARA also brought on additional contractors to address the backlog and implemented an additional shift to increase capacity. These two initiatives have significantly increased the delivery of files from the FRCs to USCIS, with nearly 30,000 files delivered during the week of March 21, 2022 alone. As of March 26, 2022, the backlog of files pending delivery

U.S. Citizenship and Immigration Services' Response to Representative Andy Barr's February 10, 2022 Letter

to USCIS has been reduced to just under 259,000 files. Many of those requests relate to pending naturalization applications.

Despite USCIS receiving limited services from the FRCs since March of 2020 due to the COVID-19 pandemic, FRCs delivered more than 600,000 files to USCIS. Nonetheless, that was less than pre-pandemic levels and was not enough to address the number of USCIS requests for files. Since the beginning of the pandemic, Kansas City-area FRCs operated at extremely reduced capacity or completely shut down. However, USCIS has been informed that all three Kansas City-area FRCs are now operating without any limitations on occupancy and that all staff have been recalled and recent increases in files delivered demonstrate the increased capacity. USCIS defers to NARA to provide additional details on their operations.

4. What should applicants do who filed their application, but now might find themselves out of processing times?

An individual with a pending benefit request should check for the most current processing time for their case based on the form type and location. If it is outside of normal processing times, they may inquire about the status of their benefit request using our online e-Request tool which can be found at egov.uscis.gov/e-request and selecting "Case outside normal processing time," or by reaching out to the USCIS Contact Center via their website: uscis.gov/contactcenter.

5. What will the agency do to make sure that individual applicants do not suffer adverse consequences related to the processing delays at the National Records Center?

As NARA has restored its capacity and increased it by adding contractors and USCIS detailed employees to the FRCs, the ability of USCIS to prioritize files based on urgent needs has increased. If an individual wishes to request expedited processing for their benefit request, they should call the USCIS Contact Center or use the Intelligent Virtual Assistant (IVT) "ask Emma" chat box and demonstrate that their case meets the criteria for expedited processing found at <https://www.uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request> and the USCIS Policy Manual, Volume 1, Part A, Public Services, Chapter 5, Requests to Expedite Applications or Petitions [1 USCIS-PM A.5] which can be found at uscis.gov/policy-manual/volume-1-part-a-chapter-5.