

GERALD E. CONNOLLY

11TH DISTRICT, VIRGINIA

2238 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-1492

FAIRFAX OFFICE:

4115 ANNANDALE ROAD
SUITE 103
ANNANDALE, VA 22003
(703) 256-3071

PRINCE WILLIAM OFFICE:

2241-D TACKETT'S MILL DRIVE
WOODBIDGE, VA 22192
(571) 408-4407

COMMITTEE ON OVERSIGHT AND REFORM

SUBCOMMITTEE:

CHAIRMAN, GOVERNMENT OPERATIONS

COMMITTEE ON FOREIGN AFFAIRS

PRESIDENT, NATO
PARLIAMENTARY ASSEMBLY

SUBCOMMITTEES:

MIDDLE EAST, NORTH AFRICA, AND GLOBAL
COUNTERTERRORISM

ASIA, THE PACIFIC,
CENTRAL ASIA, AND NONPROLIFERATION

Congress of the United States
House of Representatives
Washington, DC 20515-4611

February 14, 2022

The Honorable Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services
One Capital Gateway Drive
Camp Springs, MD 20588

Dear Director Jaddou,

I am writing to you today to inquire about the status of several operations housed under the U.S. Citizenship and Immigration Services (USCIS). My office communicates daily with our constituents and USCIS to ensure that their applications and petitions are processed accurately and in a timely manner. These cases range in form type, including Form I-765, Application for Employment Authorization, Form I-131, Application for Travel Document, Form I-539, Application to Change/Extend Nonimmigrant Status, Form I-485, Application to Register Permanent Residence or Adjust Status, and Form N-400, Application for Citizenship, to name a few.

Processing Times

It has come to my attention that a significant number of these cases have surpassed the estimated processing times posted on the USCIS website. On February 2, 2022, you noted, there is a need "to improve backlogs and processing times."¹ Many of my constituents have asked for assistance with both their I-539 and I-765 applications to prevent termination of their employment and the financial hardship this would cause. My staff has submitted numerous requests to expedite which have unfortunately been denied. To specify a few of the denial explanations, service centers cite bandwidth or lack of evidence demonstrating significant financial hardship. Expedite requests for these applications are so common and it seems very few are being approved, leaving my constituents to wait long past the expiration of their initial authorization.

Should constituents with pending applications need to travel abroad for emergency purposes, they often find they must risk either their immigration status or their family's needs. To my knowledge, a large portion of these backlogged cases are pending background checks on the applicants. In a public briefing, your office stated, an interest in removing unnecessary bureaucratic elements without a basis in sound policy or security however many of these cases seem to make little or no progress.

Congressional Inquiries

On a separate but equally important note, in my office's regular correspondence with USCIS, we have seen a significant decline in the timeliness of responses to our inquiries. When following up on a time-

¹ "USCIS Progress on Executive Orders." Youtube.com. USCIS, February 2, 2022. <https://www.youtube.com/watch?v=ukqAmPgAN4w>.

sensitive case, it can take up to ninety days to receive confirmation that USCIS has received the inquiry. Even after multiple inquires, either through the congressional portal, email, or both, it is not uncommon for USCIS liaisons to respond only with a request for additional time to review an application.

For example, my office has experienced extreme difficulties in contacting the Texas Service Center, The Center still does not have an accessible phone line for congressional staff to call for updates and receive conflicting advice regarding how to properly follow up on a particular constituent case. The confusion and lack of consensus has only added to the delay in updating our constituents. On multiple occasions, constituents have informed my office that their applications have been approved before our office has heard back from USCIS. While we are always happy to hear that a case has been favorably adjudicated, it does not serve anyone's interests to have communication breakdowns between congressional offices and federal agencies.

In an effort to best serve my constituents, I respectfully ask:

- To what extent is your office resolving the delays caused by background check investigations? What has it found to be the delay in completing these investigations in a timely manner?
- USCIS has been allocated increased funding and is currently hiring more employees to work through this backlog. What steps is your office taking to train these new hires?
- In addition to your long-term resolutions to shorten these waits, what immediate actions have you and your staff have undertaken to ease this burden in the immediate term?
- When will the Texas Service Center have the ability to receive congressional calls?
- When do you anticipate this backlog will be resolved, returning processing times to more reasonable lengths?
- Is there a more streamlined process for my caseworkers to submit expedite requests, considering they seem to be caught up in these backlogs as well?

I share your commitment to faster and more responsive case adjudications.

Again, I thank you for your service to our country and appreciate the challenges you and USCIS face. The financial and procedural barriers USCIS endured under the previous administration were not insignificant, and I hope that the renewed investment in our immigration system will allow for a drastically reduced wait time for our constituents. I look forward to hearing from you.

Sincerely,



Gerald E. Connolly
Member of Congress
11th District of Virginia



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

March 14, 2022

The Honorable Gerald E. Connolly
U.S. House of Representatives
Washington, DC 20515

Dear Representative Connolly:

Thank you for your February 14, 2022 letter regarding delayed responses to congressional inquiries and the factors that cause those delays.

U.S. Citizenship and Immigration Services (USCIS) is mindful of the need to adjudicate applications and petitions in a reasonable time and to provide information to Members of Congress and their staffs in a timely manner. As you and others have noted, USCIS processing times—on applications and petitions, as well as responses to congressional inquiries—are longer than desired. USCIS recognizes the anxiety and hardships that delays may cause.

Enclosed, you will find more detailed answers to the six questions you posed in your letter. I hope that you will find the information helpful.

Thank you again for your letter and interest in this issue. 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".

Ur M. Jaddou
Director

Enclosure

**The Department of Homeland Security's Response to
Representative Gerald E. Connolly's February 14, 2022 Letter**

1. To what extent is your office resolving the delays caused by background check investigations? What has it found to be the delay in completing these investigations in a timely manner?

U.S. Citizenship and Immigration Services (USCIS) has accumulated a backlog because the volume of work received has surpassed the Agency's capacity to adjudicate. Financial challenges coupled with occupancy restrictions during the pandemic have been the primary contributor to these delays. Further, while lengthy processing times for biometric and biographic vetting have contributed to delays in the past, USCIS has made improvements to reduce these processing times through enhanced automation with vetting partners. USCIS continues to analyze the security checks workflow process to improve efficiency without sacrificing integrity.

2. USCIS has been allocated increased funding and is currently hiring more employees to work through this backlog. What steps is your office taking to train these new hires?

Through a combination of fiscal austerity and Congressional funding, USCIS resumed hiring after a lengthy hiring freeze. Many of the initial rounds of hiring were used to fill long-standing vacancies through internal hiring, allowing promotional opportunities for current employees to fill key positions that became vacant during the hiring freeze. Successive rounds of hiring include public job announcements to infuse the agency with new hires from outside, particularly for entry-level positions. The process of posting announcements, reviewing resumes and certification lists, interviewing, making selections, completing appropriate background checks, onboarding, and training new hires is a lengthy one, generally taking several months for new hires to achieve full proficiency in their positions. As soon as new hires enter on duty, they are immediately scheduled for a seat in the next available training course. We continue to look for ways to efficiently move new hires through this multi-step process and welcome opportunities to work with Congress to promote USCIS job opportunities among your constituents and networks.

3. In addition to your long-term resolutions to shorten these waits, what immediate actions have you and your staff have undertaken to ease this burden in the immediate term?

As mentioned above, USCIS is hiring staff to fill current vacancies. In addition to hiring, we have authorized overtime to focus on those lines of business that are backlogged and are working to identify and implement greater efficiencies by leveraging technology to streamline adjudications without sacrificing integrity or security.

Specifically, USCIS is working to reduce backlogs and processing times through multiple avenues and initiatives. USCIS continues efforts to increase end-to-end electronic processing, which allows the agency to be more agile in managing its work. Increasing our ability to align our workload with our workforce by digitizing files so that they can be processed and—if necessary—transferred quickly without the need to box and ship them will also improve processing times. USCIS is also looking for areas to improve efficiency by leveraging technology to automate tasks to maximize the time officers spend on actual adjudication. Additionally, USCIS is reviewing policies with an eye toward reducing burdens on both the public and the agency. For example, in May 2021, USCIS suspended the biometric submission requirement for derivatives filing Form I-539 for change of status to or extension of stay in the E, H-4, and L classifications, allowing a large number of applications to move to an “adjudication

ready” state and be completed more quickly. Additionally, USCIS announced a policy change in November 2021 to recognize E and L derivative spouses as employment authorized incident to status, relieving them of the requirement to file Form I-765 to obtain an employment authorization document. USCIS will continue to seek ways to remove burdens and improve efficiency in order to reduce backlogs and improve processing times.

Application Support Centers (ASC) were closed due to COVID-19 from March 18, 2020 to July 13, 2020, at which time they began phased reopening at limited capacity. The accumulation of appointments that needed to be rescheduled as well as new appointments created significant backlogs, reaching an all-time high of approximately 1.4 million in January 2021. To mitigate the impacts, USCIS employed a temporary flexibility to reuse previously submitted biometrics when certain criteria are met, and ASCs worked diligently to increase capacity while protecting the health and safety of employees and customers. At this time, ASC backlogs are almost entirely eliminated. USCIS improved customer service and increased efficiency by allowing customers to reschedule biometrics appointments via the USCIS Contact Center (instead of by mail).

4. When will the Texas Service Center have the ability to receive congressional calls?

With its recent move, the Texas Service Center (TSC) adopted a new phone system with new phone numbers. The TSC phone line became operational on March 1, 2022.

5. When do you anticipate this backlog will be resolved, returning processing times to more reasonable lengths?

USCIS understands the importance of providing information in a timely manner to members of Congress and their staff, and we are committed to improving our ability to do so despite our growing workload. For context, we would like to provide some figures that might be helpful. In fiscal year 2021 (FY2021), we received over 127,000 congressional inquiries. That translates to over 500 each day. So far in fiscal year 2022, we have already received over 55,000 inquiries, and based on January’s numbers we are on pace to receive almost 149,000. That would be a 17 percent increase over FY2021. For much of the pandemic, USCIS operated under a hiring freeze, thus limiting resources available to operations and to congressional units. With the hiring freeze now lifted, USCIS is hiring and training staff.

USCIS is also seeking to improve the Congressional Web Portal to make it more user-friendly for congressional staff, as our congressional team can often respond to inquiries submitted through the Web Portal in less time than they can to inquiries submitted via email or over the phone.

While it is not possible at this time to accurately project when response times will return to pre-pandemic levels, we believe the steps we have taken to increase capacity will move the Agency in the right direction.

6. Is there a more streamlined process for my caseworkers to submit expedite requests, considering they seem to be caught up in these backlogs as well?

**The Department of Homeland Security's Response to
Representative Gerald E. Connolly's February 14, 2022 Letter**

The best way to submit an expedite request is through the Congressional Web Portal. When a request is submitted through the Web Portal, the webform prompts staff for information that is critical to locating the application or petition and receiving up-to-date information on where it is in the process. For especially urgent matters, once a request is submitted through the Web Portal, a follow-up call or email to the office handling the request is appropriate.

Unfortunately, due to current backlogs and processing times, USCIS is receiving a high volume of inquiries and expedite requests. We review them as quickly as possible. Expedites are considered on a case-by-case basis taking into account the particular facts and circumstances presented and using the criteria posted on our website as guideposts for situations that may warrant a favorable exercise of discretion to expedite processing. As discussed above, we are working to both improve our processing times but also the timeliness of responses to inquiries and requests.