

United States Senate

WASHINGTON, DC 20510

June 11, 2019

The Honorable Kenneth T. Cuccinelli II
Acting Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
20 Massachusetts Avenue NW, 4th Floor
Washington, DC 20529

Dear Acting Director Cuccinelli,

We write concerning the backlogs that our constituents are currently facing at U.S. Citizenship and Immigration Services (USCIS). The processing delays, particularly as it pertains to family-based immigration petitions and employment authorization documents, are alarming and impose an undue burden on applicants, their families, and community businesses.

Congress increased USCIS's budget in hopes that the additional funding would lead to a reduction in application times but the opposite has occurred despite a drop in applications. The inefficiencies, delays and backlogs are significant and must be swiftly addressed.

In order to serve our constituents please provide us with a written response to the questions below within 30 days of receipt:

How many pending applications/petitions does USCIS have for the following form types

- I-130, Petition for Alien Relative
- I-140, Immigrant Petition for Alien Worker
- I-765, Application for Employment Authorization
- I-485, Application to Register Permanent Residence or Adjust Status; and
- N-400, Application for Naturalization

What is USCIS's stated processing-time goal for each application type?*(Example: 90 days (I-765s), 120 days (I-485))*

- What percentage of applications are processed within the agency's stated timeframe?

What is the average processing time for these application types currently?

- What is the percentage of applications are processed within this average?

Has a policy change occurred in the last 18 months that has led to increased processing times?

- If so, please provide the policy memorandum/memoranda that are affiliated with these changes;
- In particular, please share any changes in the processing of I-765s that explain increased processing times for first-time and renewal applications.

Consular-returned petitions (petitions denied by Embassies that must be reviewed by USCIS a second time) currently have no stated processing time. Reports of petitions returned to USCIS in 2015 and 2016 with no further action are being received.


- What is the number of consular-returned petitions (I-130, I-140 namely) that await USCIS review?
- What is the average length of time a consular-returned petition waits to be reviewed?
- What plans does USCIS have in place or plan to implement to address this growing backlog?

Thank you for your attention to this matter.

Sincerely,



Chris Van Hollen
U.S. Senator



Benjamin L. Cardin
U.S. Senator