Acting Secretary McAleenan and Acting Director Cuccinelli:

We are deeply concerned about recent reports that US Citizenship and Immigration Services (USCIS) officials have asked USCIS personnel to volunteer to assist Immigration and Customs Enforcement (ICE) field offices with immigration enforcement activities. Such a request is inconsistent with congressional intent to create USCIS as an agency solely responsible for processing and adjudicating claims for immigration benefits, and separate from the agencies dedicated to detaining and deporting removable immigrants. The request is especially inappropriate considering the continued processing delays and enormous backlogs of unprocessed immigration claims at USCIS.

On Tuesday, June 16, 2019, three USCIS witnesses appeared before us in the House Subcommittee on Immigration and Citizenship. They testified to the difficulties faced by USCIS in processing incoming visa, green card, citizenship, and asylum requests in a timely manner. Members were told that the current 2.4 million case backlog, which represents a 344 percent increase from the net backlog in FY 2014, was caused in large part due to a lack of resources and personnel. Although USCIS has authorized a 5% increase in staff, USCIS witness Don Neufeld testified, “[A]t present, we are unable to hire to the staffing levels that our workload would support because of our fiscal [and] budget constraints.” USCIS witness Michael Hoefer further testified that “hiring and training staff . . . can take months.”

Given this testimony and the concerns listed above, we ask that you clarify the request made of USCIS staff in the following ways:

• Was there, in fact, an email sent from USCIS officials asking staff to volunteer to assist administrative processing at ICE field offices? If yes, please enclose a copy of this email with the response to this letter.
• Was the request made by ICE officials for USCIS personnel to volunteer, or was the idea generated by USCIS officials? Who made the initial request?
• How many USCIS personnel were sent the email in question? How many USCIS personnel agreed to volunteer to help ICE efforts? Can you provide a breakdown of the offices from which these personnel came?
• What internal or external counsels were consulted regarding the decision to send the email asking USCIS personnel to volunteer to assist ICE operations? Was the Office of
General Counsel asked to provide an analysis? Please include all internal memos regarding the decision.

- Did anyone at the Department of Homeland Security conduct a study or evaluate the impact that USCIS staff volunteering elsewhere would have on processing times or USCIS case backlogs? If yes, please include the findings of this evaluation with the response to this letter.

In creating a service-oriented component of the Department of Homeland Security, Congress specifically sought to improve the quality and efficiency of immigration adjudications and eliminate and prevent case backlogs. We will continue conducting oversight to ensure that the agency is acting consistently with that mandate. Thank you for your prompt attention to this matter, we look forward to your timely response.

Sincerely,

Mary Gay Scanlon  
Member of Congress

Zoe Lofgren  
Member of Congress

Sheila Jackson Lee  
Member of Congress

Sylvia R. Garcia  
Member of Congress

Joe Neguse  
Member of Congress

Veronica Escobar  
Member of Congress

Debbie Mucarsel-Powell  
Member of Congress

Pramila Jayapal  
Member of Congress

J. Luis Correa  
Member of Congress