USCIS BUDGET CRISIS: WHAT YOU SHOULD KNOW

WHAT DO WE KNOW?

In May, U.S. Citizenship and Immigration Services (USCIS) notified Congress that the agency predicted a budget shortfall for the remainder of 2020, reportedly due to a lower volume of filings received during the COVID-19 pandemic. The agency requested a $1.2 billion bailout from Congress and noted that if it did not receive the money, it would furlough 13,000+ people or nearly 70% of its workforce. Later congressional inquiry revealed a USCIS surplus for the fiscal year and USCIS agreed to delay the furloughs until August 30th.

The August 30th deadline nears and USCIS has not received additional congressional funding. As a result, the agency may move ahead with the furlough of 13,400 employees on August 30. While furloughed, these USCIS employees cannot report to work and will not receive a paycheck.

WHAT DOES USCIS DO?

U.S. Citizenship and Immigration Services is the agency within the Department of Homeland Security that oversees lawful immigration to the United States. It employs nearly 20,000 employees and contractors at more than 200 offices worldwide. USCIS is a “fee funded” agency, meaning that their budget to operate is primarily based on filing fees. USCIS employees process and adjudicate applications for immigration benefits, including naturalization, asylum, green cards, and work authorization.

WHAT IS ANTICIPATED TO HAPPEN IF USCIS EMPLOYEES ARE FURLOUGHED?

- USCIS would operate on an extremely limited basis.
- USCIS may continue to accept applications and petitions for benefits at their lockboxes and service centers, but receipt and rejection notices may be significantly delayed.
- USCIS service centers, field offices and asylum offices would remain open, but with very limited staff on-site to provide services.
- Applicants and petitioners should be prepared to experience significantly increased processing times and delays.
- According to the Migration Policy Institute, “For each month the USCIS furlough lasts, 75,000 applications for various immigration benefits will not be processed.”

WHAT SHOULD I DO?

- Talk to your attorney to discuss strategies to ensure that you can remain legally in the United States in the event of furloughs.
- Take action by reaching out to your Member of Congress to tell them of your situation and ask them to ensure that USCIS does not furlough its employees and that any funding provided is conditioned on strict oversight.
- If you would like to share the impacts of the furlough on your case with the media, please fill out this call for examples.
- If you are a business that will be impacted by the furloughs, personalize this template letter to email your members of Congress.
- Stay informed by reading about the latest developments regarding USCIS’s budget crisis.

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