



Committee on Migration

c/o Migration and Refugee Services, USCCB

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Dear Representative:

As a Church at the service of all God's people, the United States Conference of Catholic Bishops (USCCB) stands ready to work with the leaders of both parties to protect marginalized people, promote human life and dignity, and advance the common good. I write on behalf of the USCCB's Committee on Migration to note the funding priorities of USCCB Migration Refugee Services (USCCB/MRS).

The committee has submitted a letter on our funding priorities with respect to programs for immigrants, refugees, unaccompanied children, and trafficking victims in Fiscal Year (FY) 21 (see attached). I write today regarding the recent request for funding by the U.S. Citizenship and Immigration Services (USCIS) due to a projected shortfall of \$1.2 billion. We note the important work of USCIS and our concern that not funding the agency in this moment will result in mission-threatening cuts to USCIS's capacity for adjudicating immigration applications. Our requests fall into three core areas: (1) agency transparency; (2) efficiency in legal immigration; and (3) ensuring access to humanitarian protection for unaccompanied children, refugees and asylum seekers. Please consider the following requests as you work to fund USCIS:

Agency Transparency:

- (1) Conduct a formal accounting of how policy changes have affected USCIS's efficiency and encourage a temporary pause on the implementation of all new policies.** We would recommend a halt to new policy implementation within USCIS until there is a full accounting as to how changes have affected USCIS processing and contributed to the surplus drain and case backlog. Particular changes have added redundancy such as new labor-intensive in-person interview requirements on routine cases, and overall increases in paperwork. Furthermore, the sheer number of changes has affected efficiency, particularly with staff and contractors having to halt work for ongoing re-training.
- (2) Requested funds should only be spent on core USCIS mission work of adjudication.** We would request that funding appropriated by Congress specifically be designated to facilitate adjudications of employment, family-based and humanitarian immigration applications. Funding should not be designated or transferred for enforcement, tip forms or other initiatives outside the scope of adjudications during this time. We would also recommend analysis of how much money has been spent on projects outside of core work and transfers outside of USCIS over recent fiscal years.

Encouraging Efficiency in Legal Immigration:

- (3) Improve family-based visa processing.** The Catholic Church believes that the family is the building block of our society. We promote family reunification and oppose family separation. Family members of new Americans face increased delays in their legal reunification due to lengthening visa backlogs. For example, in 2019, for certain case types, USCIS estimated it would take the agency more than three years to complete the process.¹ We urge USCIS to work to improve the family-based adjudication wait

¹CLINIC Written Testimony to the House Judiciary Committee's Subcommittee on Immigration and Citizenship, July 16, 2019, <https://cliniclegal.org/resources/clinics-written-testimony-house-judiciary-committees-subcommittee-immigration-and>

times. We also urge quarterly reporting to Congress on family visa processing. Additionally, in order to reduce further delays, we suggest that USCIS ensure that any unused family-based immigration visas from 2020 can be used in 2021 or 2022.

- (4) Implement virtual oath ceremonies.** Part of the U.S. Catholic Church’s mission in welcoming is to work to integrate immigrants into our society, with the naturalization process being a vital part of that journey. To clear the backlog and improve processing times, USCIS should clear naturalization cases that have been completed all but for the last step – the oath ceremony. USCIS should implement virtual ceremonies and take measures necessary to clear and complete cases.
- (5) Ensure that USCIS utilizes premium processing fees and consider expanding to other benefit types.** In recent years, USCIS has not consistently used premium processing fees, which are known revenue boosters to the financial well-being of the agency. Earlier this month, USCIS reintroduced premium processing for Petitions for Nonimmigrant and Alien Workers, (respectively (Form I-129 and I-140)) and H-1B petitions while this development is welcomed, we urge USCIS to expand premium processing to other benefit types. Additionally, we encourage the Committee to consider directing revenues from premium processing to cover the cost of payroll (instead of infrastructure improvement), in order to ensure that federal workers in USCIS Service Centers are not furloughed and also that adjudication is not disrupted.

Ensuring Access to Humanitarian Protection for Unaccompanied Children, Asylum-Seekers & Refugees

- (6) Require USCIS to adjudicate Special Immigrant Juvenile (SIJ) petitions within 180 days and to provide Congress with quarterly reports on efforts to reduce overall case backlog.** From FY 2016 to 2019, USCIS’s average processing time for Form I-360, *Petition for Amerasian, Widow(er), or Special Immigrant*, the petition filed by unaccompanied children seeking SIJ humanitarian protection, increased from 4.8 months to 16.8 months, in contradiction with congressional intent of adjudication in 180 days.² In our programs, we see directly the stress and harm these types of delays can cause children, as it can affect their ability to integrate in their communities and with families. Additionally, there are currently several children in USCCB/MRS foster care programs who are at risk of aging out before their SIJ cases will be adjudicated because of the case backlog delays. Aging out without an SIJ eligibility determination will severely limit a child’s eligibility for continuous placement and for vital social services.
- (7) Prohibit fees for seeking asylum and for asylum seekers’ initial requests for employment authorization.** In November 2019, USCIS proposed a filing fee for Form I-589, *Application for Asylum and for Withholding of Removal*, as well as for a first-time I-765, *Application for Employment Authorization*, filed by an asylum seeker.³ These fees would preclude some unaccompanied children from requesting potentially life-saving relief, while pricing out many others from the employment authorization necessary not only to work, but also to obtain federal identification often needed to access housing, medical care, and educational opportunities while their asylum cases are pending. Likewise, these fees would also preclude many asylum seekers, who have often fled their countries with nothing, from pursuing U.S. asylum protection or supporting themselves as they pursue protection.

² See USCIS, “Historical National Average Processing Time (in Months) for All USCIS Offices for Select Forms By Fiscal Year,” <https://egov.uscis.gov/processing-times/historic-pt>.

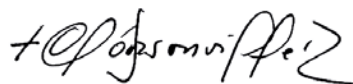
³ U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements, 84 Fed. Reg. 62,280 (Nov. 14, 2019) (Proposed Rule).

- (8) Extend flexibility with regard to adjudicated refugee cases.** Thousands of refugees whose cases have already been adjudicated by USCIS and are ready for travel in FY 20 may not be able to arrive in the United States due to travel restrictions as a result of the coronavirus. In an effort to maximize USCIS resources, refugees marked “ready for departure” in FY 20 should be counted towards the FY 20 Presidential Determination and should be admitted regardless of category.
- (9) Extend validity periods for security checks.** Refugees and Special Immigrant Visa holders face significant processing delays due to resource-intensive security checks. These delays have been exacerbated by the present pandemic. In order to prevent use of more USCIS staff resources to review security checks, USCIS and its vetting partners should extend security check validity periods until the resumption of arrivals.
- (10) Reduce USCIS expenditures related to refugee adjustment of status applications:** Refugees are required by law to seek adjustment of status one year after arrival in the United States. Due to the vetting a refugee receives, these adjustment of status applications can be adjudicated more quickly and efficiently. USCIS should cut expenses by waiving in-person interviews for refugees applying for adjustment of status and re-using biometric information.⁴
- (11) Restore Cuban Haitian Entrant Program (CHEP):** Managing potential migration flows in the Caribbean is essential to maintaining efficient USCIS operations in the future. The Cuban-Haitian Entrant Program (CHEP) was statutorily authorized to provide reception and resettlement services to newly arriving Cubans and Haitians paroled into the U.S. The USCIS should restore the program to be prepared for potential migration events in the Caribbean and Florida. From 2015 to 2019, an estimated 248,251 Cubans and Haitians came to the United States, including 89,422 during the initial years of this Administration.⁵ The CHEP not only provides crucial humanitarian transitional support for these entrants but also helps the communities respond in an orderly and effective manner.

It is the mission of the Catholic Church to bring to the teaching of Jesus Christ, who reminds us of the truth that every person is created in God’s image merits dignity. The work of the USCCB/MRS on behalf of immigrants, refugees, unaccompanied children, and trafficking victims is part of our ongoing effort to live out this teaching.

Thank you for considering our recommendations.

Sincerely,



Bishop Mario E. Dorsonville
Auxiliary Bishop of Washington
Chairman, Committee on Migration

⁴See USCIS, Adjustment of Status, <https://www.uscis.gov/green-card/green-card-processes-and-procedures/adjustment-status>

⁵Department of Health and Human Services, Fiscal Year 2020, Budget Justification, https://www.acf.hhs.gov/sites/default/files/olab/acf_congressional_budget_justification_2020.pdf (page 39)