



Statement of Wind of the Spirit Immigrant Resource Center for the House Judiciary Subcommittee on Immigration and Citizenship 7/29/20 hearing on USCIS oversight

USCIS must become more fiscally responsible, more efficient, more transparent and less political.

USCIS must acknowledge that its reduction in receipts is not solely because of COVID. The current administration has done everything it can to reduce all forms of immigration, and this in turn has had a direct impact on the amount of money USCIS takes in. A prime example of this is the new public charge rules. Had these burdensome and unwieldy rules not been put into effect, USCIS would be seeing far more adjustment of status applications, with the accompanying fees.

USCIS, contrary to its mandate, has become deeply politicized in service of the current administration's anti-immigrant agenda. Placing an "acting" (that is, unconfirmed and unaccountable) director in charge, and one who was vocally anti-immigration to begin with, has hastened the agency's transformation into an arm of the deportation enforcement machinery. The hundreds of millions that USCIS as currently managed has sought to transfer to ICE detention, and other attacks on legal immigration like the "denaturalization task force," go directly against the functions that Congress intended for the agency, and cast suspicion on its explanation for how it arrived in the dire financial situation it is now in.

Our questions for USCIS (also submitted to the Subcommittee in its designated google document) consist of the following:

USCIS has abrogated its responsibility to promptly produce secure documents, such as Lawful Permanent Resident Cards and Employment Authorization Documents. USCIS says it cancelled its contract with an outside vendor, planning to hire federal employees to produce the cards, but this didn't happen because of the agency's financial situation, hiring freeze, etc. Explain this and how your agency plans to immediately rectify it.

For what reason, other than a politicization that has no place in USCIS' function, has the agency refused to abide by the Supreme Court decision on DACA, and how in the midst of this and its other mismanagement messes did it find the time and direct the resources to publish a statement going against the Supreme Court?

Why do unnecessary RFEs and delays abound? Attorneys regularly receive baseless RFEs, such that the first sentence of the response to the RFE is often "USCIS incorrectly issued this RFE," obligating the attorney to explain that the correct documents had already been submitted, and to resubmit the evidence. What is USCIS doing about better training its employees?

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With respect to the new public charge rules, why has USCIS been regularly rejecting applications that contain both the I-864 and I-944, saying that the application did not contain those forms? Why are applicants being forced to go to the Ombudsman to try to get their applications accepted by USCIS?

Finally, to address the issues plaguing USCIS, we join with AILA in asking Congress to support the bipartisan Case Backlog and Transparency Act of 2020 (H.R. 5971) to address crisis-level delays that are crippling the agency's case processing.

It is time that we hold USCIS accountable for its inefficient and costly policies, and return the agency to its statutory mission.

Respectfully submitted,

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"If you let the wind be still, what will you hear in prayer?"