

Congress of the United States

Washington, DC 20510

July 13, 2021

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th Street SW
Washington, D.C. 20528

Dear Secretary Mayorkas:

As members of the House Judiciary Committee, we write to express our concern with current processing times for applications and petitions for immigration benefits at U.S. Citizenship and Immigration Services (USCIS), and in particular, applications for Deferred Action for Childhood Arrivals (DACA) and ancillary benefits. In his January 20, 2021 Memorandum, Preserving and Fortifying Deferred Action for Childhood Arrivals (DACA), President Biden noted the importance of work authorization, which is critical to the ability of DACA recipients to “support themselves and their families, and to contribute to our economy, while they remain.”¹ Despite this, processing times for first-time DACA applications, renewal requests, and employment authorization remain unusually high.

We are concerned that the lingering impacts of the previous administration’s restrictive immigration policies, the COVID-19 pandemic, and USCIS staffing shortages are contributing to this backlog. While we acknowledge and appreciate the work that you are doing to bring processing times back to acceptable levels, it is crucial that employment authorization documents (EADs) for DACA recipients and others—particularly those who are seeking an EAD extension—are adjudicated in a timely manner to avoid disruption in the continuity of employment. Without work authorization, DACA recipients are left in limbo, unable to benefit from the security and stability the program is meant to provide.

We respectfully request responses to the following questions by August 1, 2021:

1. How do current adjudicator staffing levels compare to such levels before the February 2020 hiring freeze?
2. What impact are current budgetary constraints having on the processing times of DACA and related applications?
3. How many first-time DACA applications that were filed after the December 4, 2020, court order reinstating the DACA program are currently pending?
4. Have all one-year grants of deferred action under DACA and one-year employment authorization documents been extended to two-years per the December 7, 2020 USCIS alert?² If not, how many one-year grants remain outstanding?


¹ <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/preserving-and-fortifying-deferred-action-for-childhood-arrivals-daca/>.

² <https://www.uscis.gov/news/alerts/deferred-action-for-childhood-arrivals-response-to-december-4-2020-order-in-batalla-vidal-et-al-v>.

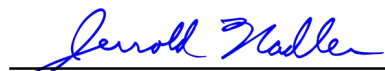
5. How many requests to renew DACA are currently pending beyond the 120-day processing goal?
6. How many applicants with timely filed applications to renew DACA and extend work authorization have experienced lapses in such authorization while waiting for their cases to be adjudicated?
7. What steps is USCIS taking to reach the 120-day processing goal for DACA renewal requests?

We appreciate your commitment to preserving and fortifying DACA, as well as your ongoing efforts to reduce processing delays across all affected product lines. DACA recipients are valued members of our communities. It is important that we do everything we can to adjudicate their requests for deferred action and employment authorization in a timely manner.


Sincerely,




Joe Neguse
Member of Congress



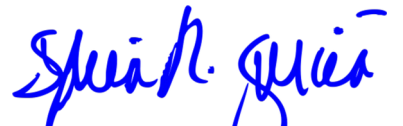
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