



**U.S. Citizenship
and Immigration
Services**

WRITTEN TESTIMONY

OF

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FOR A HEARING ON

**A Review of the FY 2020 Budget Request for
U.S. Customs and Border Protection,
U.S. Immigration and Customs Enforcement, and
U.S. Citizenship and Immigration Services**

**BEFORE
THE HOUSE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON BORDER SECURITY, FACILITATION, AND OPERATIONS**

May 9, 2019

INTRODUCTION

Chairwoman Rice, Ranking Member Higgins, Chairman Thompson, Ranking Member Rogers, and distinguished Members of the Subcommittee, thank you for this opportunity to discuss U.S. Citizenship and Immigration Services' (USCIS) fiscal year (FY) 2020 budget.

USCIS administers the lawful immigration system for the United States. The agency's mission is to safeguard the integrity and promise of that system by efficiently and fairly adjudicating requests for immigration benefits while protecting Americans, securing the homeland, and honoring our values.

My name is Tracy Renaud. I am the Acting Deputy Director of USCIS. I have had the honor to serve in this agency and its predecessor, the Immigration and Naturalization Service, since 1982. A lot has changed since then. But while our country and the world have changed significantly, our immigration policies and practices have not kept pace. Today, we realize that many current security and integrity risks to our system did not exist in the last century, and many of the threats that did exist then have evolved. At the same time, national and economic interests demand efficient and reliable processes so that our Nation can retain its preeminent position in the world for business, education, and technology. The agency is working hard to tackle many issues through technology, updated regulations, and clear guidance. Yet, there is only so much that the agency can do through regulation and technology. As Congress continues to grapple with immigration policy, I want you to know that USCIS stands ready to provide assistance on immigration-related legislation.

FISCAL YEAR 2020 BUDGET

USCIS is nearly 97 percent fee-funded. The USCIS budget for FY 2020 provides funding to support our critical mission. The budget allocates \$4.8 billion in funding, of which \$4.7 billion would be financed through mandatory fee revenue, and \$122 million would be funded with discretionary appropriations. The appropriated funding supports the operation and maintenance of the E-Verify program. The fee-funded portion of the budget, which supports all other USCIS operations, includes \$25 million and the required language to enter into an interagency agreement for the construction of a USCIS Academy Training Center at the Federal Law Enforcement Training Centers (FLETC) in Charleston, South Carolina.

USCIS UPDATES

Here are some statistics that provide a quick snapshot of USCIS in FY 2018:

- More than 8 million petitions, applications, and requests received.
- Approximately 19,000 employees and contractors working in approximately 240 offices.
- \$4.5 billion budget supported almost entirely (97%) by fees.
- 849,000 naturalization applications completed – nearly a 10-year high.
- 757,000 new U.S. citizens naturalized – a 5-year high.
- Nearly 1.1 million Green Cards obtained by new lawful permanent residents.
- Nearly 2.1 million employment authorization applications processed.

- 14 million USCIS Contact Center calls received.
- 38 million new hires verified through E-Verify.
- 191,000 FOIA requests received.

As of the end of March 2019, USCIS had an approved level of 20,404 positions and 18,473 employees onboard. USCIS operates offices in a variety of settings—from high-volume service centers, to asylum offices and field offices where interviews take place, to application support centers, to our headquarters offices. A new building under construction in Camp Springs, Maryland, will centralize operations and consolidate our staff from locations across the National Capital Region. This consolidation will likely occur in FY 2020.

The agency derives nearly all its revenue from fees for services—a fact of which we are very mindful. As the stewards of these funds, we continually seek greater efficiencies, while also striving for the highest degree of integrity and security. One thing remains constant—the workload USCIS faces each year is staggering. This workload represents the full spectrum of immigration benefits that our laws provide to those seeking to come to the United States—temporarily or permanently—and those who seek to become citizens of this Nation. USCIS anticipates workloads and resource needs based on events and historic trends. Occasionally, however, workloads do not conform to the models that have served us so well, and we have to adjust priorities, processes, and resources. Since 2016, there has been a period of unexpected high demand for immigration benefits.

As receipts have grown, USCIS has continued to add staff and look for ways to maximize use of our existing facilities wherever possible. As discussed below, USCIS is tackling increased workloads with several initiatives designed to realize efficiencies, focus resources on adjudicating cases, and better facilitate access to information.

OPERATIONAL UPDATES

E-Verify

E-Verify is an electronic system that allows employers to confirm the eligibility of their employees to work in the United States. It compares information from an employee's Form I-9, Employment Eligibility Verification, to records available to the Department of Homeland Security (DHS), the Social Security Administration, the Department of State, and certain state Department of Motor Vehicle divisions. Nearly all confirmations occur instantly or within 24 hours. As of April 15, 2019, more than 855,000 employers were enrolled in E-Verify. Enrollment has grown by an average of approximately 1,500 new employers each week in FY 2019.

USCIS previously received appropriated funding to modernize the technology that supports the E-Verify program. This modernization effort was designed to improve the effectiveness and efficiency of the E-Verify program for its users and USCIS, and to manage the rapid increase in enrollments and use of this popular program.

As a result of the modernization effort the program can now handle up to 10,800 concurrent users, with the ability to handle even more with the scalable technology that has been built. Additionally, the modernization effort improved accuracy by automating more data checks and improving the verification algorithms, which has reduced the manual verification workload by 35 percent since implementation. Finally, the modernization effort provided for employer data entry error checks. These checks have improved the accuracy of E-Verify results and reduced data mismatches from an FY 2016 baseline of 84,116 down to 341.

In FY 2018, USCIS executed an agreement with the National Law Enforcement Telecommunications System (NLETS). The former Records and Information from Department of Motor Vehicle for E-Verify (RIDE) program included only 10 states. The new connection to NLETS allows verification of states' Department of Motor Vehicles data in over 40 states. This effort will help flag fraudulent or invalid driver's licenses and state-issued identification cards.

USCIS upgraded the Verification Information System architecture for case processing by eliminating redundant steps and providing a more user-friendly experience through an improved design. This included implementing an auto-scroll feature that automatically advances to the next section on the page. This reduced the case processing screens from 10 to 3 by removing unnecessary pages and steps. Additionally, there are new checks for data entry errors by the employer, which improved accuracy of the results and reduced data mismatches.

In April 2018, USCIS launched E-Verify.gov, a new dedicated Uniform Resource Locator (URL, i.e., web address), as opposed to the previous sub-URL within the agency web address. The dedicated URL enhances the existing brand with a new look throughout the website and other public materials. Website hits to E-Verify.gov increased over 8 percent in FY 2018. The dedicated URL streamlines materials on the site for easier and faster navigation for employers, improves readability and explanations of E-Verify services and products (myE-Verify, account roles, web services) for the public, and strategically targets and supports unique external users that are separate and apart from the larger USCIS audience.

In July 2018, an E-Verify data field was added to the Federal Procurement Data System that identifies Federal contractors subject to the E-Verify clause. This addition will allow our E-Verify Monitoring and Compliance team to better monitor Federal contractors for required enrollment and usage of E-Verify.

Between January 27 and February 1, 2019, approximately 2 million cases were successfully processed in E-Verify, eliminating the case backlog from the most recent partial government shutdown. During the 35-day shutdown, E-Verify suspended operations and was unavailable to employers. When the system resumed operations on January 27, it received more than 600,000 cases—triple the volume previously seen on a single day. By January 30, the number of E-Verify cases had reached 2 million. E-Verify's expanded capabilities, achieved through modernization, made efficiently and promptly handling this backlog possible.

We anticipate achieving full operating capability of E-Verify modernization by the fourth quarter of FY 2019.

Beginning in FY 2019 and continuing into FY 2020, we plan to concentrate on strengthening system architecture, improving system reliability and resiliency, and delivering verification services with the highest degree of speed and accuracy possible, while reducing user burden. We will leverage cloud-based data warehousing and analytic services that allow business users to run customized reports, dashboards, and data analytic tools to monitor performance, program integrity, and support decision making. We will also enhance the systems that support call center operations, monitoring and compliance units, status verification operations, and program promotion. These enhancements will allow us to better monitor the program and respond to employer's questions.

SAVE (Systematic Alien Verification for Entitlements)

USCIS also administers the SAVE Program, which provides a fast, secure, and efficient verification service for Federal, state and local benefit-granting agencies to verify a benefit applicant's immigration status or naturalized/derived citizenship.

More than 1,100 agencies use SAVE. New features include improved case search capabilities, larger file size upload capacity, and more user-friendly navigation. Improved ease of use has led agencies to submit many cases digitally using uploaded documents, doubling from 17,000 per month to 34,000 per month, thereby reducing abandonments and improving the effectiveness of the program.

SAVE became fully paperless in May 2018 and has reduced response time from 20 business days to 5 business days or less. An estimated 170,000 formerly paper cases a year will now be submitted and responded to electronically.

Asylum and Credible Fear

In FY 2018, USCIS adjudicated nearly 82,000 applications for affirmative asylum, a 61 percent increase from FY 2017. In January 2018, USCIS announced a shift away from "first in, first out" processing of affirmative asylum cases and a return to "last in, first out" (LIFO) processing. This priority approach, first established by the asylum reforms of 1995 and used for 20 years until 2014, seeks to deter those who might try to exploit the existing backlog as a means to obtain employment authorization. The goal is to quickly identify non-meritorious claims, thereby deterring such claims and helping to slow the growth of the affirmative asylum caseload that disadvantages legitimate asylum seekers. In the first quarter of FY 2019, USCIS had approximately 325,000 affirmative asylum applications pending adjudication. Returning to a LIFO interview schedule has allowed USCIS to identify non-meritorious asylum claims earlier and place those individuals into removal proceedings sooner.

Individuals placed in the expedited removal process who claim a fear of return are screened by the Asylum Division for a "credible fear" of persecution or torture to determine whether they will be issued a Notice to Appear in full removal proceedings in Immigration Court. In FY 2018, USCIS

processed nearly 98,000 credible fear claims. Adjudications were up 22 percent from FY 2017 and nearly doubled from FY 2014.

Refugee Program

In FY 2018, USCIS officers interviewed more than 26,000 refugee applicants in 45 countries, and the United States admitted 22,491 refugees. In FY 2018, the Refugee Affairs Division committed the equivalent of an average of 100 full time equivalent positions throughout the fiscal year to support the Asylum Division workload. To sustain this level of commitment, Refugee Affairs Division staff completed over 500 details to the Asylum Division. In FY 2019, it continues to detail staff to assist but on a smaller scale as the Asylum Division continues to add permanent staff.

USCIS, along with our partners, has implemented a number of enhancements recommended because of two reviews of the U.S. Refugee Admissions Program (USRAP) pursuant to Executive Orders. The enhancements aim to close security gaps and take a more risk-based approach to refugee admissions. These enhancements are an additional layer of security for the American people and take account of evaluated intelligence, as well as identified gaps in screening and vetting operations. These enhancements are part of a longstanding practice of prioritizing integrity and security in the USRAP. Since the inception of the program, USCIS and other processing partners have consistently reviewed the USRAP and implemented enhancements to its security vetting and program integrity in order to carry out the mission and safeguard the United States.

eProcessing

USCIS' goal is to make the filing and adjudication of applications a paperless process by the end of calendar year 2020. The agency has taken in, stored, and transported paper forms and documentation in the tons for far too long. USCIS is committed to using the technology necessary to support online filing and electronic records management. An electronic government is the key to increasing efficiency, reliability, and accuracy. USCIS is taking active steps to increase operations online.

USCIS is modernizing our IT strategy and business processes to enable all applicants to file for benefits online so that we can adjudicate cases electronically. This effort is called "eProcessing." The plan is to create an online filing platform for each benefit request product line, gradually stopping the creation of new paper immigration records. Once digital, cases can be adjudicated with more current and comprehensive information. USCIS will be better able to allocate resource, see trends, and collaborate with other agencies.

Today individuals can file several forms online, including the Application to Replace Permanent Resident Card, the Application for Replacement Naturalization/Citizenship Document, and the Application for Naturalization. Online filing opportunities are scheduled to expand quickly because existing technical functionalities can be reused to facilitate an increased rate of deployment for subsequent benefit request types.

Employment-Based Adjustment of Status Interviews

Pursuant to Section 5 of Executive Order 13780, *Protecting the Nation from Foreign Terrorist Entry into the United States*, DHS and Federal partners continue to develop “a uniform baseline for screening and vetting standards and procedures.” As part of this effort, USCIS has expanded the use of interviews. This expansion includes transitioning certain employment-based adjustment applications from service centers to field offices for interviews.

Specifically, USCIS has transitioned the adjudication of employment-based adjustment of status applications based on an underlying immigrant worker petition. The employment-based adjustment cases that were transitioned for interviews to field offices generally included applications filed on or after March 6, 2017 (the effective date of Executive Order 13780). USCIS service centers generally continue to adjudicate employment-based cases filed before March 6, 2017, that still await visa availability.

USCIS has provided training to field offices on the adjudication of employment-based cases, along with fraud detection training, to ensure a high level of consistency in the adjudication of employment-based adjustment of status applications while maximizing the use of available employment visa numbers.

Site Visit and Verification Programs

In FY 2018, USCIS created and expanded the Targeted Site Visit and Verification Program in response to Executive Orders 13768, *Enhancing Public Safety in the Interior of the United States*, and 13788, *Buy American and Hire American*, to take a more targeted approach to combating H-1B fraud and abuse by focusing on:

- Cases where USCIS cannot validate the employer’s basic business information through commercially available data;
- H-1B-dependent employers (those who have a high ratio of H-1B workers as compared to U.S. workers, as defined by statute); or
- Employers petitioning for beneficiaries who work offsite at another company or organization’s location.

In FY 2018, USCIS completed 414 targeted H-1B site visits, confirming fraud in 149 cases. From the start of FY 2019 through April 22, 2019, USCIS conducted 2,209 targeted H-1B site visits, confirming fraud in 100 and non-fraud related compliance issues in another 100.

In FY 2018, USCIS also began Targeted Site Visit and Verification Program pilots for the following nonimmigrant employment classifications:

- L-1B (intracompany transferee with specialized knowledge)
- E-2 (treaty investors)
- H-2B (temporary nonagricultural workers)

USCIS is currently reviewing the results of these pilots.

USCIS plans to continue expanding the Targeted Site Visit and Verification Program pilots in FY 2019. So far this fiscal year USCIS has added the L-1A (intracompany transferee in a managerial or executive position) nonimmigrant visa classification and conducted a mini-pilot on selected EB-3 (immigrant unskilled worker) petitions in the Targeted Site Visit and Verification Program.

USCIS Tip Unit

In June 2018, USCIS established a Tip Unit in Williston, Vermont. This unit, co-located with the U.S. Immigration and Customs Enforcement (ICE) Tip Line Center, is working on processing the thousands of immigration benefit fraud tips that USCIS receives annually from the public and other government entities. USCIS has established dedicated mailboxes for tips: ReportFraudTips@uscis.dhs.gov, ReportH1BAbuse@uscis.dhs.gov and ReportH2BAbuse@uscis.dhs.gov. The Tip Unit refers actionable or articulable leads to USCIS officers for further action. Since becoming operational, the Tip Unit has processed over 45,000 tips from the public. Of these, over 26,000 leads have been developed and numerous fraud findings and referrals were submitted to ICE for criminal investigation.

CONCLUSION

It is my privilege to be here to discuss USCIS' budget for the upcoming fiscal year. Our goal by the end of 2020 is to have all of our adjudications moved to a digital environment, allowing full digital processing and more streamlined workflows. But technology can only do so much. It cannot replace the people who actually make the decisions. That is why we continue to focus on filling positions and reducing vacancy rates, and ensuring employee overtime is available to increase adjudication capacity. We are still feeling the wake from the extraordinary receipt growth during FY 2016 and 2017. As certain workloads have continued to grow, so too has the complexity of some adjudications, and the time needed for us to do our job in compliance with the will of Congress, as expressed in the immigration laws.

USCIS is dedicated to serving and safeguarding the American people, our Nation, and our economy, and I am extremely proud of the hard work and professionalism I see every day in service to our Nation. Again, thank you for allowing me to be here and I look forward to answering your questions.