

United States Senate

WASHINGTON, DC 20510

June 15, 2021

Ms. Tracy Renaud
Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, D.C. 20529

Dear Director Renaud:

We write to express our concerns regarding processing delays for immigration benefits at U.S. Citizenship and Immigration Services (USCIS). These delays—a legacy of the Trump Administration’s anti-immigrant policies and the COVID-19 pandemic—continue to negatively impact immigrants, our communities, and our nation as a whole. As the Biden Administration and USCIS work to rebuild and strengthen our nation’s immigration system, we hope that reducing processing delays will continue to be a priority.

While we are aware that processing times for many different forms of immigration benefits have been unusually high for several years, we are particularly concerned about delays impacting applications related to the Deferred Action for Childhood Arrivals (DACA) program, including initial, first-time DACA requests, DACA renewal requests, and related employment authorization applications. As you know, access to DACA provides a vital lifeline to hundreds of thousands of young people. Many DACA recipients are essential workers in health care and other critical industries and are playing an important role in helping our economy recover from the ongoing pandemic. Delays in granting benefits to DACA applicants and recipients therefore affect not just their own employment and stability, but the social and economic welfare of us all.

Despite the change in Administration and ongoing efforts at USCIS to expand processing capacity, current wait times for DACA requests continue to be high. The average processing time for new DACA requests is between four and nine months, depending on the USCIS service center.¹ Despite the fact that hundreds of initial DACA requests were submitted when the process reopened at the end of last year, nonprofit legal service providers report that only a handful of initial requests nationwide have been approved. Reportedly, some requestors who applied in December 2020 or January 2021 have not yet been contacted to schedule their biometrics appointment. Delays for new initial DACA requests are particularly concerning because these individuals need DACA to access employment that will allow them to sustain themselves and their families, and to pursue higher education opportunities. Additionally, many of these individuals need deferred action to stop accruing unlawful presence and gain protection from deportation, and have been waiting to apply for over three years since the Trump Administration stopped accepting new requests on September 5, 2017 and attempted to eliminate the DACA program entirely.

¹ USCIS Case Processing Times for requests for Deferred Action, I-821D at California, Nebraska, and Vermont Service Centers. Accessed on May 21, 2021 at <https://egov.uscis.gov/processing-times/>

It also appears that some DACA renewal requests continue to be processed at an unacceptably slow rate, with certain applications taking an estimated full year to process, depending on the USCIS service center.² These processing times are occurring despite USCIS's stated goal of processing DACA renewal requests within 120 days.³ Constituents have resorted to contacting our offices for assistance because, in addition to experiencing delays, the USCIS case tracker provides insufficient information to requestors and their attorneys.⁴ Furthermore, some service centers are telling congressional caseworkers that expedited processing requests for DACA renewals will not be granted and that no information on case status can be shared at this point in time. Applicants need to know where their requests are in the adjudication process to better estimate how much longer they have to wait and to assess whether there are any issues with the processing of their requests.

DACA processing delays have significant consequences, not just for individuals depending on the status for their livelihoods and security, but for their families and for the businesses and workplaces that employ them. As we work to build back our economy from the effects of the pandemic, reducing backlogs and processing delays for DACA cases is of the utmost importance.

In order for us to better serve our constituents, we respectfully request that the following information be provided to our offices by July 1, 2021:

1. How many initial, first-time DACA requests were received from January 1, 2021 to May 31, 2021?
2. How many biometrics appointments have been scheduled for initial, first-time DACA requests received from January 1, 2021 to May 31, 2021?
3. How many initial, first-time DACA requests have been fully adjudicated between December 2020 and May 31, 2021?
4. How many DACA renewal requests are currently awaiting adjudication beyond the 120 day processing goal?
5. How many requests for advance parole from DACA recipients are currently pending adjudication?
6. How does USCIS account for the highly varied processing times for DACA-related requests at its California, Nebraska, and Vermont service centers?
7. What steps has USCIS taken to address processing delays at its California, Nebraska, and Vermont service centers?
8. In light of changing pandemic-related guidelines, what steps has USCIS taken to adjust COVID-19 related policies and procedures that impact request processing times?

Thank you for your attention to this matter. We look forward to working with you to address these concerns as soon as possible.

² USCIS Case Processing Times for requests for Deferred Action, I-821D at Vermont Service Center. Accessed on May 21, 2021 at <https://egov.uscis.gov/processing-times/>

³ USCIS, "Renew Your DACA." Accessed on June 1, 2021 at <https://www.uscis.gov/humanitarian/renew-your-daca>

⁴ USCIS, "Case Status Online." Accessed on June 1, 2021 at <https://egov.uscis.gov/casestatus/landing.do>