

United States Senate

WASHINGTON, DC 20510

August 21, 2020

Joseph Edlow
Deputy Director for Policy and Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, DC 20001

Dear Acting Director Edlow:

We are deeply concerned that the U.S. Citizenship and Immigration Services (USCIS) plans to furlough over 13,000 federal employees starting August 30, 2020. It has come to our attention that USCIS is no longer projecting a deficit for this fiscal year and can continue to pay its employees beyond the agency's self-imposed deadline. We strongly urge you to use these funds to maintain employment for these federal workers. We are committed to work with you to prevent the impending furloughs of all USCIS employees from Virginia and across the country, and are willing to work together to find a solution to address the USCIS budget shortfall.

We appreciate the conversations we have had with you, and the various concerns and nuances you have highlighted. While we differ with President Trump's administration on many immigration policy matters and believe USCIS could benefit from better fiscal management, USCIS civil servants should not be forced to pay the price for this administration's choices and other agency decisions that led to the current financial state of USCIS.

As you know all too well, furloughing approximately 13,400 USCIS employees on August 30, would have disastrous effects on the livelihoods of families in the Commonwealth and across the country. In Virginia alone, more than 750 civil servants could be left without a paycheck amidst the tremendous economic uncertainty brought on by the COVID-19 pandemic. The consequences of such furloughs would not only reverberate within their families and our region, but also within the immigrant communities USCIS serves.

Employees at USCIS perform critical work in processing visa petitions, asylum, citizenship, and naturalization applications, green cards and refugee applications. If USCIS were to furlough a vast majority of its workforce, this would drastically undercut the agency's mission to facilitate lawful entry and immigration to the United States. People throughout Virginia and the United States count on a fully functioning USCIS, including countless immigrants who await naturalization ceremonies, employers who rely on the talent and labor of nonimmigrant workers, and vulnerable populations such as asylum seekers.

While we remain dedicated to finding a workable solution for USCIS and its employees, we urge an immediate halt of all furloughs planned for August 30. Federal workers and immigrant communities deserve better than the havoc that would be brought on by such furloughs. We look forward to continuing conversations with you and our Senate colleagues on both sides of the aisle to ensure we come to a solution.

Sincerely,



Mark R. Warner
United States Senator



Tim Kaine
United States Senator



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

September 17, 2020

The Honorable Mark R. Warner
United States Senate
Washington, DC 20510

Dear Senator Warner:

Thank you for your August 21, 2020 letter requesting to delay the furloughs of 13,000 staff at U.S. Citizenship and Immigration Services (USCIS).

As you are aware, USCIS has cancelled the administration furlough that was scheduled to begin on August 30, 2020. We made this decision based on aggressive and unprecedented spending cuts, our most recent financial projections, and in consultation with the U.S. Department of Homeland Security's and my financial staff.

In addition to the spending cuts already recognized, we have begun taking further proactive measures to sustain our federal workforce until Congress acts. The depth of these cuts is something members of Congress asked us to avoid in the spring, with assurances of providing financial support before their August recess. As such action did not occur, these cost cutting measures will have an impact on agency operations and will result in: descoping of contracts and a reduction in the number of contractors who assist our federal workforce; restructuring contracts via bilateral modifications to breakup periods of performance into smaller increments; and continually evaluating operational requirements to potentially right-size contracts at a future date based on our financial position.

While it is true that our financial situation has somewhat improved due to the increase in revenue and receipts from their historic decline in March and April due to the COVID-19 pandemic, annual receipts and revenue are still below fiscal year (FY) 2020 projections. Without further congressional action, we will be forced to continue taking aggressive cost-reducing actions that will result in additional significant operational adjustments. We anticipate that wait times for pending case inquiries through the USCIS Contact Center will increase, case processing times will increase, and although we will continue conducting naturalization ceremonies, individuals may experience increased wait times in the adjudication of their naturalization applications as there will be fewer contractors to assist our adjudicators in preparing case files for adjudication.

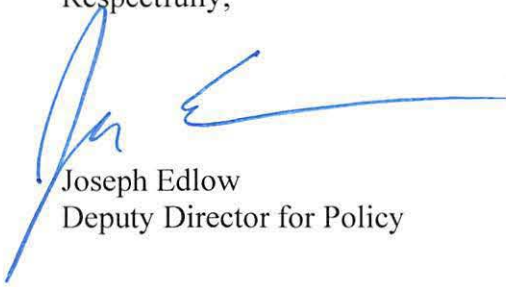
Although we are currently forecasted to end FY 2020 with a carryover balance of non-premium funding in the Immigration Examinations Fee Account to cancel the current administrative furlough, USCIS and our employees are urgently depending on Congress to act—during this budget cycle—on a long-term fix that would provide the necessary financial

assistance so that we can maintain financial stability throughout FY 2021. Without such action, a future administrative furlough scenario is still possible.

This continues to be a difficult and uncertain time for our workforce. I remain committed to continuing to work with Congress to obtain the long-term assistance needed to avoid any administrative furlough of USCIS employees in the future.

Thank you for your interest in this important issue. Senator Kaine will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to be 'J. Edlow', is written over the typed name. The signature is stylized and extends to the right with a long horizontal stroke.

Joseph Edlow
Deputy Director for Policy