

## Slow Immigration Processing Times Draw Criticism and Questions

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Tuesday, February 19, 2019

Immigration case processing times have dramatically increased in the last few years, impacting U.S. businesses and immigrant families, often causing gaps in work authorization and even loss of employment. In a January 2019 Policy Brief, AILA (American Immigration Lawyers Association) opined, on the basis of USCIS data, that the Agency's processing delays had reached "crisis levels under the Trump Administration," [noting that](#):

[t]hese ballooning delays leave families—including families with U.S. citizen spouses and children—in financial distress, expose protection-seekers to potential harm by bad actors, and threaten the viability of American companies facing workforce gaps.

The 2018 Homeland Security Report stated that at the end of FY 2017 (including President Trump's first 9 months in office), there was a net backlog of 2.3 million cases – double the figure from FY 2016.

And Congress is taking notice. More than 80 Democratic members of the House of Representatives, in their oversight capacity, sent a letter to USCIS Director L. Francis Cissna expressing their "grave concerns" about the delays. Indeed, the Congressmen are suggesting that the delays themselves seem to be a policy goal, [stating](#):

Clearly, policy changes implemented by the administration in 2017 and 2018 have increasingly shifted the agency away from its service-oriented mission. Rather than continuing to seek ways to simplify and streamline its benefit-delivery system, USCIS now appears more focused on erecting barriers to the benefits it administers, including by significantly delaying adjudications.

The Representatives want the backlogs to be reduced and have asked Director Cissna to answer a number of questions, [including](#):

- How are "extreme vetting," in-person interviews for employment-based green cards, and the USCIS reversal of the deference policy regarding nonimmigrant visa extensions contributing to the backlog?
- Why, when USCIS clearly needs more adjudicators, is the Agency requesting the transfer of \$200 million of its own fee revenue over to ICE enforcement?
- Why have processing times increased while case volume appears to be receding?

The backlog may be yet another reflection of [Director Cissna's new mission statement](#), issued in February 2018, echoing President Trump's emphasis on enforcement. In that statement, the Director removed the emphasis on customer satisfaction (i.e., the satisfaction of petitioners and beneficiaries) and instead focused on serving the American people and making sure that benefits are not provided to those who do not qualify or those who "would do us harm . . . ."

In line with that mission, USCIS is planning on introducing a new Tip Form. The [purpose of the new form](#) is to facilitate the collection of information from the public regarding credible and relevant claims of immigration benefit fraud impacting both open adjudications, as well as previously approved benefit requests where the benefit remains valid. Once implemented, this form will create more work for an already overburdened agency and will likely lead to an increase in employer worksite investigations.

**jackson lewis.**

Article By [Jackson Lewis P.C.](#)  
[Maggie Murphy/Immigration Blog](#)

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