



# U.S. Citizenship and Immigration Services

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WRITTEN TESTIMONY

Of

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FOR A HEARING ON

**“Unprecedented Migration at the U.S. Southern Border:  
The Year in Review”**

BEFORE THE  
SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS

November 13, 2019

## ***Introduction***

Chairman Johnson, Ranking Member Peters, and distinguished members of the Committee, thank you for the opportunity to testify today regarding U.S. Citizenship and Immigration Services' (USCIS) work. The agency's mission is to safeguard the integrity and promise of our immigration system by efficiently and fairly adjudicating requests for immigration benefits while protecting Americans, securing the homeland, and honoring our values. I can tell you that I am extremely proud of the work and professionalism I see every day by our employees in service to our nation.

In fiscal year (FY) 2019, USCIS achieved many of President Trump's goals to make our immigration system work better for America. As an agency, we have tirelessly worked hand-in-hand with our fellow U.S. Department of Homeland Security (DHS) components to answer President Trump's call to address the ongoing crisis at our southern border. DHS has taken significant steps to mitigate the loopholes in our asylum system, particularly in the absence of congressional action, combat fraudulent and frivolous claims, and strengthen the protections we have in place to preserve humanitarian assistance for those who are truly eligible for it.

## ***FY 2019 Accomplishments***

USCIS had a historic year in FY 2019. I am proud of the agency's work over the fiscal year and want to mention a few of the agency's notable accomplishments.

The men and women of USCIS continue to administer our nation's lawful immigration system and process large volumes of applications and petitions. USCIS operates out of approximately 200 offices across the world in a variety of settings, including high-volume service centers, asylum and field offices where interviews take place, application support centers, and headquarters locations.

In FY 2019, USCIS adjudicated nearly 8.2 million requests for immigration benefits. This workload represents the full spectrum of immigration benefits that our laws provide to those who seek to come to the United States—temporarily or permanently—as well as those who seek to become citizens of this nation.

USCIS naturalized approximately 833,000 new citizens in FY 2019 – the most in more than a decade. USCIS granted lawful permanent residence to 582,000 individuals, and USCIS processed more than 2.1 million employment authorization applications.

USCIS received more than 105,000 credible fear referrals and adjudicated more than 78,000 affirmative asylum applications.

The agency also performed more than 40 million verifications through E-Verify. From the start of FY 2019 through August 2019, the backlogs for lawful permanent resident and naturalization cases were reduced by 24 percent and 27 percent respectively.

### ***Crisis Response and Asylum Reforms***

USCIS rose to the challenge to address the crisis at the southern border in FY 2019. Absent congressional action to provide targeted fixes to our immigration system, USCIS rushed personnel and resources to our southern border and implemented a number of significant policy changes and reforms designed to help reduce the loopholes in our nation's asylum system that continue to allow for crisis levels of abuse and exploitation of our immigration system.

One of the Department's most significant initiatives is the Migrant Protection Protocols (MPP). MPP was established in January 2019 to restore a safe and orderly immigration process along the U.S. southern border and decrease the number of aliens attempting to game the immigration system. Under MPP, certain aliens attempting to enter the United States from Mexico illegally or without proper documentation are returned to Mexico while they await their removal proceedings.

Additionally, on July 16, 2019, DHS and the Department of Justice published a joint interim final rule to enhance the integrity of the asylum process. The rule, with limited exceptions, bars aliens who enter along the southern border from receiving asylum in the United States if they did not apply for, and receive a denial of, asylum in at least one other country through which they transited.

USCIS' Asylum Division felt the impact of the southern border crisis, receiving more than 105,000 credible fear referrals – a new record high. To put that in perspective in FY 2014, just five years ago, USCIS received approximately 51,000 credible fear referrals and in FY 2009, just ten years ago, USCIS received approximately 5,369 credible fear referrals.

USCIS is executing an ambitious plan to hire 500 new staff members for the Asylum Division by the end of December 2019 to reach authorized staffing levels. During any given week in FY 2019, 150-200 officers were assigned to process cases arising from the southern border, including approximately 40-60 employees assigned to process cases in-person at the southern border. The Asylum Division trained U.S. Border Patrol agents, as part of a pilot program, and utilized specially-trained USCIS officers from outside the Asylum Division to supplement staffing on the southern border and assist with the Asylum Division's credible fear workload. In addition to the credible fear screening workload, the Asylum Division adjudicated more than 78,000 affirmative asylum claims in FY 2019.

### ***Protecting American Taxpayers and Modernizing EB-5***

USCIS took significant actions in FY 2019 to protect American taxpayers. On August 14, 2019, USCIS published the Final Rule on Inadmissibility on Public Charge Grounds, a rule that enforces long-standing law to better ensure that those seeking to come to, or remain in, the United States are self-sufficient. With this final rule, DHS defined public charge to mean an alien who receives one or more designated public benefits for more than 12 months in the aggregate, within any 36-month period (such that, for instance, receipt of two benefits in one month counts as two months). Under the final rule, USCIS sought to evaluate applications for admission and adjustment of status to better ensure that aliens seeking to come to, or remain, in the United States are able to successfully support themselves through their own capabilities and through the resources of their families, sponsors, and private organizations, rather than relying on public benefit programs supported by taxpayers. Unfortunately, on October 11, 2019, four days

before the rule's effective date, DHS was preliminarily enjoined from implementing and enforcing this final rule. DHS is vigorously defending the final rule in litigation before federal courts, and I am confident that we will prevail.

In July 2019, USCIS published a final rule that made a number of significant changes to the agency's EB-5 Immigrant Investor Program. Under the EB-5 program, individuals are eligible to apply for conditional permanent residence in the United States if they made the necessary investment or are actively in the process of making that investment in a new commercial enterprise in the United States that will result in the creation of at least 10 full-time jobs for qualified U.S. workers. The reforms made to the program this year increase the minimum investment levels to account for inflation over the past three decades and substantially restrict the possibility of gerrymandering targeted employment areas that qualify for a reduced investment amount, ensuring that this incentive is reserved for rural and high-unemployment areas most in need.

### ***Securing the Homeland***

Consistent with President Trump's call for enhanced vetting, USCIS plays a key role in safeguarding our nation's immigration system and making sure that only those who are eligible for a benefit receive it. USCIS is vigorous in its efforts to detect and deter immigration fraud, using a variety of vetting and screening processes to confirm an applicant's identity and eligibility. The agency also conducts site visits, interviews applicants, and requests evidence for benefits that offer individuals status in the United States.

In FY 2019, USCIS expanded certain screening procedures to address President Trump's Executive Order 13780, "Protecting the Nation from Foreign Terrorist Entry into the United States." This includes additional vetting for naturalization and lawful permanent resident applicants. USCIS personnel completed more than 8,000 site visits as part of the Targeted Site Visit and Verification Program. Referrals to the Fraud Detection and National Security Directorate (FDNS) from field offices surpassed FY 2018 levels by more than 22%. The primary background screening system for USCIS processed more than 16.5 million screenings, through law enforcement and other federal databases, generating approximately 124,000 automated potential fraud, public safety, and national security notifications requiring further analysis and manual review by USCIS officers. FDNS continued leveraging open source and publicly available social media information to investigate potential fraud, national security, and public safety concerns with approximately 11,420 checks completed.

### ***Modernization***

The agency's transition from paper applications to a fully digital experience continues to be an important priority for USCIS. USCIS continues to expand our online filing capabilities. In FY 2019, over 1.2 million applications were filed online, a 10.4% increase from FY 2018. USCIS added four forms during FY 2019 for a total of eight forms available for online filing. USCIS plans to add numerous new forms for electronic filing during FY 2020, including the I-485 (Application to Register Permanent Residence or Adjust Status), I-765 (Application for Employment Authorization), I-131 (Application for Travel Document), I-129 (Petition for a Nonimmigrant Worker), and I-589 (Application for Asylum and for Withholding of Removal.)

USCIS stood up FIRST (Freedom of Information Act Immigration Records SysTem), the federal government's first fully electronic FOIA/Privacy Act request and delivery system that allows users to submit and track FOIA requests and receive documents digitally. In FY 2019, more than 26,000 electronic responses were delivered to individuals with online accounts.

In FY 2019, USCIS expanded the Information Services Modernization Program (called InfoMod). InfoMod saves both applicants and the agency time by enabling hundreds of thousands of applicants who would have otherwise sought an in-person appointment at a USCIS office to have their inquiries answered through our suite of self-help tools online and telephonically. Under InfoMod, applicants still in need of in-person appointment services for certain issues, such as emergency travel documentation, are now able to schedule appointments without being turned away due to lack of availability. The introduction and implementation of InfoMod has been a spectacular success for efficiency both for USCIS employees and for applicants and petitioners seeking benefits, saving hundreds of thousands of applicants and petitioners from having to make unnecessary trips into our offices.

USCIS has continued to expand and enhance the self-help tools available to applicants online and through the agency's contact center with the goal of providing more efficient, timely service. As a result of these improvements, USCIS has seen a 13% increase in the number of individuals using USCIS' digital tools since FY 2018. The number of myUSCIS sessions, USCIS' online account experience, reached over 35.1 million in FY 2019, up 4 million from FY 2018.

### ***Conclusion***

In the coming year, USCIS will continue to use every tool available to us to fulfill President Trump's goals to strengthen our nation's strained immigration system and alleviate the crisis at our border while continuing to fairly and efficiently adjudicate applications and petitions of those seeking lawful status in the United States.

Thank you again for the opportunity to testify regarding the agency's accomplishments. I look forward to answering any questions you may have.