



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES  
COUNCIL 119 | AFFILIATED WITH THE AFL-CIO



U.S. Citizenship &  
Immigration  
Services

## USCIS Union President: Lawmakers Should Oppose Senate Immigration Bill, Support Immigration Service Officers

*FOR IMMEDIATE RELEASE*

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Contact: National Citizenship & Immigration Services Council

WASHINGTON – Kenneth Palinkas, President of the National Citizenship and Immigration Services Council, the union representing 12,000 United States Citizenship and Immigration Services (USCIS) adjudications officers and staff, issued a statement today after adding his name to the letter organized by the National ICE Council detailing concerns over the Gang of Eight immigration Legislation, or S. 744. Mr. Palinkas' statement follows:

“I am pleased to add my name to the nationwide law enforcement letter organized by the National ICE Council. We at USCIS are honored to stand with immigration officers and law enforcement officials across the nation. Dedicated USCIS adjudications officers and staff perform the indispensable work of reviewing millions of applications every single year for those seeking to receive visas, become citizens and permanent residents, or to otherwise adjust their immigration status. The mission of our federal employees is critical to identifying threats and providing for public safety and national security. We are the very backbone of our nation's immigration system and will be at the center of implementing any immigration reform.

Yet, like the ICE Council, the USCIS Council was not consulted in the crafting of the Gang of Eight's legislation. Instead, the legislation was written with special interests—producing a bill that makes the current system worse, not better. S. 744 will damage public safety and national security and should be opposed by lawmakers.

This legislation fails to address some of the most serious concerns the USCIS Council has about the current system which Congress must address, including:

-- USCIS adjudications officers are pressured to rubber stamp applications instead of conducting diligent case review and investigation. The culture at USCIS encourages all applications to be approved, discouraging proper investigation into red flags and discouraging the denial of any applications. USCIS has been turned into an “approval machine.”

-- USCIS has created an almost insurmountable bureaucracy which often prevents USCIS adjudications officers from contacting and coordinating with ICE agents and officers in cases that should have their involvement. USCIS officers are pressured to approve visa applications for many individuals ICE agents have determined should be placed into deportation proceedings.

-- USCIS officers who identify illegal aliens that, in accordance with law should be placed into immigration removal proceedings before a federal judge, are prevented from exercising their authority and responsibility to issue Notices To Appear (NTAs). In the rare case that an officer

attempts to issue an NTA, it must first be approved by a secretive panel created under DHS Secretary Janet Napolitano, which often denies the officer's request. Illegal aliens are then permitted to remain in the United States as USCIS officers are not able to take action or contact ICE agents for assistance.

-- The attitude of USCIS management is not that the Agency serves the American public or the laws of the United States, or public safety and national security, but instead that the agency serves illegal aliens and the attorneys which represent them. While we believe in treating all people with respect, we are concerned that this agency tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

-- Currently, USCIS reports a 99.5% approval rating for all illegal alien applications for legal status filed under the Obama Administration's new deferred action for childhood arrivals (DACA) policies. DHS and USCIS leadership have intentionally established an application process for DACA applicants that bypasses traditional in-person investigatory interviews with trained USCIS adjudications officers. These practices were put in place to stop proper screening and enforcement, and guarantee that applications will be rubber-stamped for approval, a practice that virtually guarantees widespread fraud and places public safety at risk.

-- While illegal aliens applying for legal status under DACA policies are required to pay fees, DHS and USCIS are now exercising their discretion to waive those fees. Undoubtedly these practices will be replicated for millions of illegal aliens if S.744 becomes law.

-- U.S taxpayers are currently tasked with absorbing the cost of over \$200 million worth of fee waivers bestowed on applicants for naturalization during the last fiscal year. This is in addition to the strain put on our Social Security system that has been depleted by an onslaught of refugees receiving SSI benefits as soon as their feet touch U.S. soil.

-- Large swaths of the Immigration and Nationality Act (INA) are not effectively enforced for legal immigrants and visa holders, including laws regarding public charges as well as many other provisions, as USCIS lacks the resources to adequately screen and scrutinize legal immigrants and non-immigrants seeking status adjustment. There is also insufficient screening and monitoring of student visas.

-- A new USCIS computer system to screen applications known as "Transformation" has proven to be a disaster as the agency has spent upwards of \$2 billion for a system that would eventually allow an alien—now referred to as a "customer" under current USCIS policy—to upload their own information via the internet for adjudication purposes. To date, only one form can be accepted into the program that has been in the making for close to 10 years.

In closing, the legislation will provide legal status to millions of visa overstays while failing to provide for necessary in-person interviews. Legal status is also explicitly granted to millions who have committed serious immigration and criminal offenses, while dramatically boosting future immigration without correcting the flaws in our current legal immigration process. We need immigration reform that works. This legislation, sadly, will not."