

RICHARD C. SHELBY, ALABAMA, CHAIRMAN

MITCH McCONNELL, KENTUCKY
LAMAR ALEXANDER, TENNESSEE
SUSAN M. COLLINS, MAINE
LISA MURKOWSKI, ALASKA
LINDSEY GRAHAM, SOUTH CAROLINA
ROY BLUNT, MISSOURI
JERRY MORAN, KANSAS
JOHN HOEVEN, NORTH DAKOTA
JOHN BOOZMAN, ARKANSAS
SHELLEY MOORE CAPITO, WEST VIRGINIA
JOHN KENNEDY, LOUISIANA
CINDY HYDE-SMITH, MISSISSIPPI
STEVE DAINES, MONTANA
MARCO RUBIO, FLORIDA
JAMES LANKFORD, OKLAHOMA

PATRICK J. LEAHY, VERMONT
PATTY MURRAY, WASHINGTON
DIANNE FEINSTEIN, CALIFORNIA
RICHARD J. DURBIN, ILLINOIS
JACK REED, RHODE ISLAND
JON TESTER, MONTANA
TOM UDALL, NEW MEXICO
JEANNE SHAHEEN, NEW HAMPSHIRE
JEFF MERKLEY, OREGON
CHRISTOPHER A. COONS, DELAWARE
BRIAN SCHATZ, HAWAII
TAMMY BALDWIN, WISCONSIN
CHRISTOPHER S. MURPHY, CONNECTICUT
JOE MANCHIN, II, WEST VIRGINIA
CHRIS VAN HOLLEN, MARYLAND

SHANNON HUTCHERSON HINES, STAFF DIRECTOR
CHARLES E. KIEFFER, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
<http://appropriations.senate.gov>

August 18, 2020

The Honorable Chad F. Wolf
Acting Secretary
Department of Homeland Security
Washington, DC 20528

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

Dear Acting Secretary Wolf and Deputy Director Edlow:

I write to you today to request a further delay of the unnecessary furloughs that over 13,000 staff at United States Citizenship and Immigration Services (USCIS) face on August 30, 2020. I appreciate the decision to delay furloughs from August 3, 2020, to August 30 in response to my previous request. However, I am troubled by the fact that USCIS is still proceeding with furloughs for this fiscal year despite the fact that the agency is consistently projecting to end the fiscal year with a sizeable carryover balance. The resulting carryover balance exists even after you factor in paying staff through the fiscal year.

To put it more plainly, USCIS could pay all of its staff through the end of the fiscal year, avoid furloughs entirely, and still end the fiscal year with a sizeable carryover balance.

I have previously given you both private and public assurances that I am dedicated to resolving the financial crisis the agency faces in the next fiscal year. To be clear, with regard to the projected deficit for FY 2021, I am committed to addressing this issue before October 1. Further, I am not alone in that commitment. Members of both parties and both chambers have publicly expressed support for USCIS. In other words, USCIS has the resources necessary to avoid furloughs entirely and members of Congress have publicly committed to resolving the agency's fiscal situation.

The furlough of 13,000 employees will obviously leave an untold impact on these employees and their families, but the furloughs are likely to have other unintended consequences as well. For instance, without a functioning legal immigration system, our economy is likely to be impacted as critical future employees or employers will be unable to complete their immigration process. Additionally, some families have waited nearly 24 years to lawfully immigrate to the United States. The decision to shut down the legal immigration system by furloughing these employees

will harm our economy, have adverse impacts on trade, encourage unlawful immigration, and is patently unfair to our federal workforce and to individuals who have waited so long to be reunited with their families.

The prudent and humane thing to do is to delay furloughs through the fiscal year. It is unconscionable to leave over 13,000 federal employees in a constant state of crisis, with a lack of certainty about how they and their families will make ends meet during this pandemic. These employees are our neighbors, friends, citizens, and families, and they do critical work on behalf of our government. Further, the United States remains locked in a perpetual cycle of distress and fear due to the ongoing pandemic. While I appreciate your August 17, 2020 response to my letter, unnecessary furloughs of this size will only worsen the current economic crisis and create avoidable hardship for federal employees. There is simply no just reason to furlough these employees, throwing them into severe financial distress, when you could pay them.

I hope you immediately reconsider. I urge you to take action today.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Leahy". The signature is written in a cursive, flowing style.

Patrick Leahy
Vice Chairman