

USCIS DIRECTOR
20 Massachusetts Avenue, N.W.
Washington, D.C. 20529

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
PRESS CONFERENCE ON
STRATEGIC GOALS AND INITIATIVES FOR 2011

10:12 a.m. through 11:01 a.m.

February 17, 2011

20 Massachusetts Avenue, N.W.
Washington, D.C.

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USCIS MEMBERS PRESENT:

U.S. Citizenship and Immigration Services:
Alejandro Mayorkas, Director

Office of Communications:
Buck Humphrey, Chief

*****:

Christopher Bentley, Press Secretary

MEDIA PRESENT:

Suzanne Gamboa, AP
Luis Alonso, AP (Latin America)
Stephen Dinan, Washington Times
Rabah Fallil, Al Hurra
Armando Guzman, TV Azteca
Jenny Jing, Epoch Times
Betty Lin, World Journal
Amber McKinney, BNA Workplace Immigration
Report
Isabel Morales, El Nuevo Herald/Al Dia
Fernando Pizarro, Univision
Jennifer Scholtes, Congressional Quarterly
Santiago Tavares, Notimex
Jordi Zamora, AFP

MEDIA PRESENT VIA TELEPHONE:

Erica Pearson, New York Daily News
Aliya Sternstein, Government Executive
Fawn Johnson, National Journal
Julia Preston, New York Times
Kirk Semple, New York Times
Melissa Sanchez, Nuevo Herald
Allie Shah, Star Tribune
Aziza Musa, Texas Tribune
Mike Archbold, The Tacoma News Tribune
Ana Enriquez, V-me
Miriam Jordan, Wall Street Journal
Sean Dieterich, White Mountain Independent
Jerry Cao, World Journal
Xiaomi Li, Xiang Tao Daily

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1 P R O C E E D I N G S

2 MR. HUMPHREY: Thank you very much. And
3 thanks to everybody for coming this morning and
4 also being on the phone.

5 Just a few ground rules before Director
6 Mayorkas gives about 10 minutes of opening
7 remarks about the priorities and goals for USCIS
8 this year.

9 There's a lot of people in the room and a
10 lot of people on the phone, so if we could please
11 limit it to one question initially, we'll start
12 in the room and then go to the phones. And then,
13 also if you could please say who you are and
14 which media outlet you're with, that would be
15 very helpful for us and the transcriber.

16 Without further ado, I'll hand it over to
17 Director Mayorkas.

18 DIRECTOR MAYORKAS: Thanks, Buck. I guess
19 it's not an option for me to disconnect, learning
20 that this is being recorded, so I'll remain
21 engaged.

22 And, you know, I want to share a few

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1 dedication and prompted me to share some of our
2 achievements in 2010. I think we accomplished a
3 great deal, and I'd like to share some examples
4 with you.

5 So, this -- this past year we
6 administered TPS for Haiti and developed and
7 executed a humanitarian parole program for
8 Haitian orphans. We expanded our national
9 security vetting of applicants. We unveiled a
10 new Green Card and a new naturalization
11 certificate, both of which incorporated enhanced
12 security features.

13 We implemented the use of Passport
14 photographs in the e-Verify program. We expanded
15 our citizenship grant program to include \$8 in
16 grants and began our first ever online
17 citizenship resource center. For the first time
18 we met the cap of 10,000 U visas for victims of
19 crime.

20 We initiated the policy review of which I
21 will speak shortly. We developed and implemented
22 internal policy guidance on numerous critical

1 topics. We issued the first precedent appeals
2 decisions in 12 years. We developed and issued
3 the first ever fee waiver form and issued the new
4 N-648 form for individuals with disabilities.

5 We developed and implemented the first
6 ever process for posting agency policy guidance
7 for public comment, an initiative of which I am
8 particularly proud. We engaged with the public
9 at an extraordinary level, including our first
10 ever Spanish language engagement series, Enlace.
11 We did this all in a year when we faced financial
12 challenges and cut approximately \$160 million
13 from our budget. And we did this all -- I should
14 add -- while accomplishing our day-to-day work.

15 For example, in 2010 we naturalized
16 approximately 620,000 individuals. We granted
17 about 565,000 adjustment applications and
18 approved about 1.4 million I-129 and I-130
19 petitions combined. And I think it's a record of
20 which we, at USCIS, should be and are very proud.

21 So, let me, if I can, share with you some
22 of our continued areas of focus this year and

1 identify for you a few examples of initiatives
2 that we will execute to serve these goals. The
3 goals are consistent with our Five-Year Strategic
4 Plan and also consistent with the Department of
5 Homeland Securities Quadrennial Homeland Security
6 Review.

7 Goal 1: Strengthen the immigration
8 systems national security safeguards and combat
9 fraud. We have no mission more important than
10 guarding against those who might seek access to
11 the United States to do our nation harm. We have
12 implemented and will continue to implement
13 enhancements to our screening programs designed
14 to address national security threats.

15 We have begun to implement the secure
16 mail initiative. We have partnered with the
17 Postal Service to enable delivery confirmation
18 for secure immigration documents, permanent
19 resident cards, employment authorization
20 documents, and travel documents. This program
21 will allow the Postal Service to track delivery
22 and respond to applicant status queries. It

1 enhances the integrity of the system and also
2 improves customer service.

3 We will commence the unauthorized
4 practice of immigration law or UPIL initiative.
5 We have begun working with federal, state, and
6 local government partners to develop a
7 comprehensive initiative to combat UPIL. The
8 initiative aims to build stakeholder capacity to
9 deliver legitimate assistance, educate the public
10 about finding bona fide legal advice, and
11 strengthen prevention and enforcement mechanisms
12 to combat UPIL. We are holding stakeholder
13 engagements currently in seven pilot cities to
14 refine our priorities for the initiative's first
15 phase. We will also promote E-Verify to attract
16 wider use.

17 Goal two -- and these -- these are, by
18 the way, examples. They are by no means a
19 comprehensive list of initiatives that we have
20 underway and to which we are dedicated.

21 Goal 2: To improve agency operations and
22 customer service. Of course, the critical

1 program that we have to accomplish this strategic
2 goal is the deployment of our transformation
3 effort. And at the end of this year we intend to
4 deploy Release A of that effort, which is, for
5 those who are unfamiliar with it, an agency-wide
6 effort to move our immigration services from a
7 paper based system to an electronic environment.

8 We have implemented -- we've just begun
9 to implement on a pilot basis the validation
10 instrument for business enterprises or VIBE tool.
11 VIBE uses commercially available information from
12 Dun and Bradstreet to validate evidence submitted
13 by companies petitioning to employ a foreign
14 worker in the United States. It provides us with
15 an additional tool to check the quality of the
16 evidence submitted to us. And it also ultimately
17 is designed to alleviate the burden of repeat
18 petitioners having to submit the same evidence
19 sequentially.

20 Another initiative is our effort to reach
21 those who cannot reach us. Coming from
22 California I am very familiar with, for example,

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1 our -- my former state's Central Valley. I well
2 understand that some who need our services do not
3 live or work in proximity to our offices and
4 cannot afford to get to us. I have asked my
5 colleagues to take USCIS on the road. Employing
6 the Circuit Ride Model from our Refugee Affairs
7 Division, we will develop a program to provide
8 mobile services that will reach under-served
9 communities distant from existing USCIS offices.

10 Goal 3: To promote quality and
11 consistency in the administration of our
12 immigration laws. We have a considerable amount
13 of work to perform to achieve the consistency the
14 public deserves. In fact, there are areas in
15 which our policies are not necessarily consistent
16 or consistently applied. And we are one agency,
17 and we are dedicated to realizing the legislative
18 intent of the laws that we administer. And
19 consistency is a critical attribute.

20 We have the significant initiative of the
21 Policy Review. What I -- what we have done and
22 I've asked to be done is to gather together

1 literally, physically, all of our adjudication
2 policies in one location and to conduct a review
3 of them from top to bottom to ensure that our
4 policies are indeed consistent and appropriate.
5 Some of the policies may have been in existence
6 for many years and may need to be updated to
7 address more current concerns and realities.

8 We issued a survey, both internally to
9 our work force and externally to the public, to
10 learn what our work force and the public believed
11 should be the priority of our review because it
12 is a Herculean multi-year task, and we wanted to
13 be informed as to where we should start. And we
14 have identified 10 priority areas, and we have
15 established working groups within the agency to
16 tackle each of those priority areas.

17 In addition, our administrative appeals
18 office will continue to issue precedent decisions
19 because the public deserves and our adjudicators
20 deserve predictability. And under a new
21 streamlined interagency process developed in
22 collaboration with the U.S. Department of

1 Justice, we expect to issues precedent decisions
2 on a regular basis.

3 Goal 4: Promote citizenship and
4 immigrant integration. We are leading the
5 citizenship public education and awareness
6 initiative, a nationwide Congressionally funded
7 program to promote both the values of the U.S.
8 citizenship and the free educational resources
9 available to eligible, lawful, permanent
10 residents.

11 We have, I should say, a couple very
12 important strategic goals that are internally
13 focused with respect to the work life for our
14 colleagues that I won't -- I won't expand upon --
15 expound upon this morning unless that's something
16 of interest to you.

17 And Goal 5 is to increase agency
18 transparency and public engagement to continue on
19 the record that we have established this past
20 year of engaging with the public. We will, for
21 example, expand our multilingual public
22 engagement offerings and increase our -- our

1 engagements with the underserved and the
2 vulnerable.

3 With that I will open it up to questions
4 and let's start with folks here. Please.

5 MR. PIZARRO: Fernando Pizarro,
6 Univision. I wanted to -- you have a lot of
7 priorities here, but I wanted to go for the UPIL.

8 DIRECTOR MAYORKAS: Yes.

9 MR. PIZARRO: In your last statement that
10 I just looked you, you had something -- if it
11 was, indeed, your last one back in December, you
12 said you had six pilot cities. You've expanded
13 that to one --

14 DIRECTOR MAYORKAS: To seven. I think
15 it's seven.

16 MR. PIZARRO: Yeah, okay. Do you know
17 which one the --

18 DIRECTOR MAYORKAS: Los Angeles.

19 MR. PIZARRO: Los Angeles.

20 Now, this question goes for -- to the
21 main goal of this. Is this the one we're talking
22 about UPIL? We're just talking about -- only

1 about lawyers, attorneys? Or are we talking
2 about the so-called Notarios?

3 DIRECTOR MAYORKAS: Notarios as well.

4 MR. PIZARRO: Could you expand on what -
5 -

6 DIRECTOR MAYORKAS: Well, the -- the
7 goal of the initiative is to protect individuals
8 who are victimized by entities or other
9 individuals who take advantage of them by virtue
10 of their position of vulnerability and perhaps
11 their lack of awareness of the immigration
12 system. Regrettably, those who victimize the
13 vulnerable are not limited to one category of
14 individuals, and we're going to address each and
15 every category of individuals.

16 MR. PIZARRO: May I follow up this later?

17 DIRECTOR MAYORKAS: Yeah, okay. Sure.

18 MR. HUMPHREY: Before we go, just to
19 remind folks on the phone -- if the Operator --
20 you can remind them to get in the queue for
21 questions after we're done here in the room.

22 OPERATOR: Once again, to ask a question

1 from the phone, please press star, then one.

2 DIRECTOR MAYORKAS: I should add. You
3 know, I -- when I was the U.S. Attorney in Los
4 Angeles, we prosecuted a very, very significant
5 case where we prosecuted quite a number of
6 Notarios engaged in fraud. And I -- I am very
7 eager to see enhanced enforcement efforts in that
8 arena.

9 I'm also eager to see enhanced
10 enforcement efforts in immigration fraud,
11 generally. The consequence of seeking to defraud
12 our immigration system should not be the denial
13 of an application or petition but more serious
14 consequences.

15 Please.

16 MR. ZAMORA: Jordi Zamora, AFP.

17 I'm sure that you're following the
18 current debate on the Capitol on the budget.

19 DIRECTOR MAYORKAS: Yes.

20 MR. ZAMORA: I wonder what is the impact
21 not only on the budget for 2012 but now the --

22 DIRECTOR MAYORKAS: The continuing

1 resolution.

2 MR. ZAMORA: -- continuing resolution
3 and what is the impact of the Republican
4 proposals in your entity, and what is your
5 reaction?

6 DIRECTOR MAYORKAS: Well, I think one
7 thing -- one thing that's important to take note
8 of is that we are primarily a fee-for-services
9 agency. And so, the great majority of our budget
10 is indeed funded by fees. There are certain
11 programs, of course, that depend upon
12 appropriates. And I believe that one of the
13 proposals that is currently pending is to
14 eliminate our citizenship grant program. And we
15 -- we believe that that program has tremendous
16 value.

17 Steve?

18 MR. DINAN: Stephen Dinan, Washington
19 Times.

20 Can you just give us a -- I guess, an
21 update on where you stand with the discussion
22 over fee-based versus appropriated agency. I --

1 are you actively pushing Congress to change that
2 or is -- I guess, where do those discussions
3 stand on what -- what USCIS should be?

4 DIRECTOR MAYORKAS: I don't think that
5 there are any pending discussions, Steve, with
6 respect to at -- currently with respect to
7 changing the financial model of this agency.

8 I think that the most significant thing
9 under -- aspect of our funding under discussion
10 right now is with respect to the surcharge that
11 applicants pay for the refugee and asylum program
12 and moving that to an appropriated model. But
13 beyond that, there are not anymore macro
14 discussions taking place.

15 MR. DINAN: And have you given them --
16 what dollar amount would you be talking about if
17 that were to go to an appropriation?

18 DIRECTOR MAYORKAS: If the --

19 MR. DINAN: If the surcharge --

20 DIRECTOR MAYOKAS: -- surcharge -- we
21 actually have a figure, I believe, in the 2012
22 budget --

1 MR. DINAN: Oh, okay.

2 DIRECTOR MAYORKAS: -- that speaks to
3 that, and I'll get that precise figure to you.
4 That's in the President's -- in the President's
5 budget.

6 Yes, please.

7 MS. SCHOLTES: Jennifer Scholtes,
8 Congressional Quarterly.

9 With regard to E-Verify, as you know,
10 there's some discussion in Congress about making
11 that program mandatory.

12 DIRECTOR MAYORKAS: Yes.

13 MS. SCHOLTES: Do you think that's
14 feasible, and what would that take?

15 DIRECTOR MAYORKAS: We are -- we strongly
16 believe in the value of E-Verify and its
17 efficiency in identifying workers who are
18 authorized to work. It is currently expanding at
19 a rate of approximately 1,300 new employers a
20 week. And we believe that it's further expansion
21 will be assisted with a greater outreach effort
22 by our agency in informing the business community

1 of the benefits of E-Verify, and we intend to
2 embark on that outreach effort. We believe that
3 a mandatory program for E-Verify would be best
4 suited as a component of comprehensive
5 immigration reform.

6 Suzanne?

7 MS. GAMBOA: I wanted to follow up on --
8 Suzanne Gamboa from Associated Press.

9 I wanted to follow up on the Notarios
10 effort.

11 DIRECTOR MAYORKAS: Yes.

12 MS. GAMBOA: You talked about enhanced
13 enforcement --

14 DIRECTOR MAYORKAS: Yes.

15 MS. GAMBOA: -- and you mentioned seven
16 pilot cities. Can you tell us the seven pilot
17 cities? And tell us more about the -- I just
18 would like more detail about what you're trying
19 to do to get -- because this has been a
20 longstanding problem. So --

21 DIRECTOR MAYORKAS: It has and --

22 MS. GAMBOA: -- what kind of punishments

1 or what does that mean, enhanced enforcement?
2 And how are you going to try to go after these --
3 I did want to ask about enhanced enforcement on
4 fraud, too. What (inaudible) question?

5 DIRECTOR MAYORKAS: So, let me -- so, in
6 fact, his problem of unauthorized practice of
7 immigration law -- and by that I include the
8 Notario fraud -- has indeed been a constant
9 problem.

10 And what we want to do is develop an
11 institutionalized -- a sustained response to that
12 problem with the hope, of course, of eradicating
13 it. And it involves outreach and education to
14 the community so that they are aware. They're
15 able to identify the problem when they confront
16 it. It involves building capacity in terms of
17 the authorized practice of immigration law and
18 the authorized practice of assistance to the
19 communities in need. And it requires enhanced
20 enforcement.

21 And by that I mean criminal prosecution,
22 regulatory enforcement, and all of the tools that

1 the government has as -- at its disposal to
2 address those who perpetrate this -- these crime
3 and these civil offenses. And so we are working
4 in collaboration with the Department of Justice
5 and other government regulatory agencies to bring
6 the full panoply of tools to bear.

7 My comment about -- also addressing
8 Suzanne -- immigration fraud, I am -- as a -- as
9 a prosecutor, I realize the resource constraints
10 on prosecution offices. And I do hope to
11 persuade prosecution offices that there is
12 significant deterrent value in prosecuting
13 immigration fraud crimes even though the loss in
14 a particular case may not meet certain
15 prosecution thresholds, but this is one of the
16 areas in which I think deterrence can be achieved
17 from a criminal justice perspective. And I think
18 it's very important to send a very clear and
19 strong message that if one submits a fraudulent
20 application to this agency, the sole consequence
21 will not be the denial of that application but
22 rather a consequence that is appropriate and

1 commensurate with the misconduct.

2 MS. GAMBOA: But you're talking about
3 going after people who may have left something
4 out because they know it happened a long time ago
5 and they're not going to be citizens or that
6 might keep them from being citizens? Are you
7 talking about people who are involved in
8 manufacturing fake IDs? I mean, you can get
9 caught up in all of this little minutia and back
10 up the agency -- the prosecutors that they're
11 already backed up, or you can go after larger
12 things.

13 I mean, if you're talking about --

14 DIRECTOR MAYORKAS: Well, when I -- when
15 I speak of fraud, I speak of fraud in the legal
16 sense.

17 MS. GAMBOA: Uh-huh.

18 DIRECTOR MAYORKAS: Which is the
19 submission of a fact with the intent to defraud,
20 knowing that the fact that one has submitted or
21 represented is untrue. So it is not an error in
22 an application. It is what I intend to mean is

1 the intentional misrepresentation made to the
2 agency with the intent to deceive the agency into
3 believing something that is not true.

4 MR. PIZARRO: Real quick follow up?

5 MR. HUMPHREY: We've got one question,
6 and then we'll go to the phones. Then we'll
7 follow up.

8 MR. TAVARES: You mentioned the
9 elimination of the citizen grant program. Can
10 you -- can you --

11 DIRECTOR MAYORKAS: I'm sorry?

12 MR. TAVARES: Yes, the elimination -- the
13 end of the citizen grant program. What are the
14 amount?

15 DIRECTOR MAYORKAS: Well, I believe it
16 was proposed for \$18 million if I'm not mistaken.
17 And if I am, I'm sure I'll be corrected
18 subsequently, but one of the proposals in the
19 discussions around the continuing resolution --
20 this year's budget -- is indeed to drop that
21 grant program.

22 MR. TAVARES: And it is included in the

1 budget that President Obama --

2 DIRECTOR MAYORKAS: Yes. Yes.

3 MR. TAVARES: But that -- but I -- I read
4 that there is also discussions to drop the
5 refugee (unintelligible) funding. So it would be
6 only --

7 DIRECTOR MAYORKAS: I have not seen a
8 formal proposal to drop the -- the appropriation
9 for the refugee and asylum funding, but perhaps
10 I'll take a look at that.

11 Let's go to the phones.

12 OPERATOR: Thank you. I have a question
13 from Julia Preston with New York Times.

14 MS. PRESTON: Hi, Director Mayorkas. How
15 are you?

16 DIRECTOR MAYORKAS: Fine. Good morning,
17 Julia.

18 MS. PRESTON: My question is -- has to do
19 with the functioning of the system. And I think
20 you know that some of the most painful cases out
21 there have to do with United States citizens who
22 married spouses who turned out to have

1 immigration problems and have ended up becoming
2 separated. And I am told that there are, for
3 example, tremendous disparities in between
4 various countries in processing the hardship
5 waiver forms. I think it's an I-601. And I'm
6 wondering what you're doing to combat those
7 disparities and if you are looking at the U.S.
8 citizen cases where -- where you have citizens of
9 this country who are trying to reestablish their
10 marriages and get their spouses back into the
11 country -- if you have any kind of priority for
12 those cases.

13 DIRECTOR MAYORKAS: Julia, I did not -- I
14 do not have in mind right now whether that is one
15 of the areas of priority in the Policy Review.

16 I should say that the Policy Review of
17 which I spoke is not the exclusive vehicle by
18 which we revisit policies to determine whether
19 they need to be revised for any variety of
20 reasons is the sort of systematic review of our
21 policies on a top to bottom basis, but outside of
22 that formal structure, of course, issues come to

1 light that we need to tackle with some immediacy.
2 And so, it's not exclusive.

3 And I don't know where we stand on
4 reviewing the issue that you have raised now both
5 with respect to extreme hardship and the
6 disparity of -- reported disparity amongst
7 different countries. So I'll have to look at
8 that and circle back with you.

9 MS. PRESTON: Okay. Thank you.

10 MR. HUMPHREY: Next call on the phone,
11 Operator?

12 OPERATOR: Our next question is from
13 Aliya Sternstein with Government Executive.

14 MS. STERNSTEIN: Hi, thank you very much.
15 My question is this: Senator Grassley has asked
16 that the agency have staff brief him on the
17 problems that are hampering the transnational IT
18 project. He's concerned that few improvements
19 have been made since the GAO and IT found
20 management problems several years ago.

21 So, I wanted to hear from you. What are
22 the problems that have hindered the launch of the

1 system and --

2 DIRECTOR MAYORKAS: I appreciate the
3 question. I think with respect to Senator
4 Grassley's letter, I well understand the letter.
5 There were reports -- I think you actually
6 authored one of the reports with respect to
7 reported challenges that transformation is
8 confronting, and therefore, in light of that
9 reporting, I think Senator Grassley in a quest
10 for accountability sent us a letter asking us
11 whether those challenges were indeed true. And
12 if so, why, and I think he wanted both a response
13 and a briefing. And we are going to provide
14 both. So I think that letter was well received
15 by us and well understood.

16 With respect to -- I'm sorry. Can you
17 repeat exactly what you're looking for in your
18 question?

19 MS. STERNSTEIN: Yeah, I wanted to know
20 what -- what are the problems that has delayed
21 the system's launch and increased projected
22 costs, and what are you doing to fix those

1 problems?

2 DIRECTOR MAYORKAS: Well, I think the --
3 the question presupposes a few facts, and I think
4 I would disagree with one. And that is with
5 respect to being over budget. I do not believe
6 the program is over budget. I do believe that
7 there have been some delays in the program, and I
8 can only speak to the record since I began.

9 One of the -- one of the reasons for
10 delay is the fact that we determined -- and I
11 participated in that determination, and I believe
12 it was the correct determination -- was to re
13 sequence the transformation effort. Originally
14 the -- moving from a paper base to an electronic
15 environment was going to be performed for certain
16 immigration benefit types.

17 And we determined that that was really
18 transforming an environment outside the
19 chronology that individuals coming to this
20 country actually experience. And we should track
21 our transformation effort chronologically in
22 terms of the pursuit and obtaining of the

1 benefits. And so we are starting in the non-
2 immigrant benefit category. And that caused a
3 bit of delay.

4 There were also -- there was a protest of
5 one of our contracts which is, of course, out of
6 our control. The protest was not successful, but
7 nevertheless, the lodging of the protest caused a
8 bit of a delay.

9 We are not on the timetable that was
10 originally devised. I believe that we are
11 progressing deliberately and productively. And I
12 have complete confidence in the program.

13 MS. STERNSTEIN: Why do you say that the
14 project is not over budget? I'm talking about
15 like the projected costs have increased
16 substantially and you're spending more than was
17 anticipated. You've already spent more than was
18 anticipated in 2007.

19 DIRECTOR MAYORKAS: I don't -- I don't
20 think that -- I don't think that that is correct.
21 I think that there is a -- a discrepancy between
22 definitions. One is the definition of what the

1 contract costs -- the IBM contract. And another
2 definition takes into account overhead costs,
3 personnel costs, and the like. And so there is a
4 disparity in the figures because there is a
5 disparity in what the figures represent.

6 Secondly, I think that costs have shifted
7 in time. And so the re-sequencing has caused an
8 expense of funds commensurate with the non-
9 immigrant benefit types that we are addressing
10 now as opposed to the costs that were allocated
11 to the original sequence. And so, it's a timing
12 shift, not necessarily a shift in expense on a
13 macro basis.

14 So I do not believe that we are over
15 budget. I do believe that we have suffered some
16 delays in the progress of transformation. And I
17 think that those are appreciated, and we have
18 made some changes to address them on a going
19 forward basis.

20 OPERATOR: Our next question is from
21 Xiaomi Li from Xiang Tao Daily News.

22 MS. LI: Hi, Director. This is Charlene

1 from Xiang Tao from New York.

2 My question is regarding the enforcement
3 for illegal immigrants. And since last year New
4 York State have joined the Secure Community.
5 There is more activities regarding making arrests
6 for the illegal immigrants and deportation for
7 them.

8 And it seems like we are more targeting
9 the people who hire those illegal immigrants.
10 So, I'm just wondering if the OMPD have the
11 authority to check their immigration status when
12 they making arrest, and what are the priorities
13 for the illegal immigrants enforcement in the
14 coming year?

15 DIRECTOR MAYORKAS: If I can respectfully
16 defer your question to our sister agency,
17 Immigration and Customs Enforcement, commonly
18 known as -- by the acronym ICE -- I think that
19 question belongs in their jurisdiction. So I
20 would respectfully direct you to them.

21 MR. HUMPHREY: Next question, Operator.

22 OPERATOR: Thank you. One moment.

1 Our next question from the phone is Mike
2 Archbold, The News Tribune.

3 MR. ARCHBOLD: Hello, Director. Mike
4 Archbold with The Tacoma News Tribune.

5 DIRECTOR MAYORKAS: Good morning.

6 MR. ARCHBOLD: Good morning. My question
7 relates to the U Visa program.

8 DIRECTOR MAYORKAS: Yes.

9 MR. ARCHBOLD: Do you believe local law
10 enforcement officials, judges, and prosecutors
11 are evenly and consistently applying the spirit
12 of U Visa as it relates to certification of
13 applicants? In other words, are -- do you find
14 that they play immigration gatekeeper as opposed
15 to -- to defining whether someone was a crime
16 victim (unintelligible) law enforcement?

17 DIRECTOR MAYORKAS: I have -- I have not
18 received reports that the U Visa process is being
19 misused for ulterior purposes. It is a very
20 important tool for law enforcement to use in law
21 enforcement's ability to prosecute crimes when
22 the witnesses to those crimes are immigrants who

1 have -- who are indeed victims. And we have
2 engaged in extensive outreach as a department,
3 not just as an agency, with the law enforcement
4 community to ensure that the U and T Visa
5 programs -- the T program relating to trafficking
6 victims, specifically -- that those programs are
7 fully utilized and well understood.

8 So, we -- I have not received reports of
9 the misuse of those programs. There would be a
10 tremendous disincentive on the part of law
11 enforcement to misuse those programs because they
12 are designed not just for relief for the victims
13 of crime but to assist law enforcement in
14 addressing the perpetrators of the crime.

15 Is there a -- could we turn to the room?
16 Suzanne?

17 MS. GAMBOA: Where do things stand in
18 terms of backlogs? Do you have any anymore? Are
19 there any -- what's your turn-around time now?

20 DIRECTOR MAYORKAS: I believe we have
21 eliminated our backlogs. Whether there is a --
22 one backlog out there or not, but by and large

1 we've eliminated them. Whether there is one area
2 of processing where we continue to see some
3 delays, I don't know, Suzanne. And Chris will
4 get back to you on that. But by and large, we've
5 eliminated them.

6 MS. GAMBOA: Are you under six months in
7 turn-around for naturalization and --

8 DIRECTOR MAYORKAS: Yes.

9 MS. GAMBOA: -- the big ones?

10 DIRECTOR MAYORKAS: Yes. Buck? Yes? Go
11 ahead.

12 MR. PIZARRO: I wanted to follow up on
13 UPIL. You just said a little bit ago that
14 submitting fraudulent form will not -- you know,
15 will have more than just denial.

16 DIRECTOR MAYORKAS: My hope is that we're
17 able to bring that to bear, yes.

18 MR. PIZARRO: Yeah, but what I wanted to
19 go -- to talk about is the -- the issue of
20 Notarios or -- that are not submitting the forms
21 who are, you know, defrauding immigrants --

22 DIRECTOR MAYORKAS: Right.

1 MR. PIZARRO: -- you know, getting paid
2 for their services and then the forms do not get
3 to you. How is that going to punish -- how are
4 you going against those people?

5 DIRECTOR MAYORKAS: Well, there -- there
6 are a couple -- there are a couple things that
7 address that. Number one, we have our education
8 and outreach efforts, okay, which will hopefully
9 better equip potential victims with respect to
10 identifying when they might be victimized,
11 identifying the resources available to them so
12 that they are not driven to the fraudsters, and
13 also, working with law enforcement and regulatory
14 partners to do old-fashioned investigation work
15 to bring the perpetrators to justice.

16 MR. PIZARRO: But can you effectively go
17 after them?

18 DIRECTOR MAYORKAS: We can't go after all
19 of them, but we can go after some of them and in
20 basic criminal justice framework, going after
21 some has a deterrent effect on others.

22 Yes?

1 MS. LIN: Hi. Betty Lin of the World
2 Journal. Thank you for this.

3 And yeah, I'd like to know some members
4 are proposing maybe to eliminate diversity visa
5 program, so what --

6 DIRECTOR MAYORKAS: I know that there was
7 a -- a bill proposed yesterday, and I'm not
8 prepared to comment on that.

9 MR. TAVARES: On this recently submitted
10 budget, are there any important changes that
11 reflect some change of priority, any comment you
12 could highlight on that?

13 DIRECTOR MAYORKAS: No, the President's
14 2012 budget reflects the areas where we think
15 appropriated funding is most important for this
16 agency. And it really is a continuation of the
17 priorities that were set in the President's 2011
18 budget.

19 Yes?

20 MS. McKINNEY: Hi. Amber McKinney with
21 BNA.

22 You mentioned the AEO President

1 decisions.

2 DIRECTOR MAYORKAS: Yes.

3 MS. McKINNEY: There was 12 years before
4 the agency had issued some new precedent
5 decisions. Can you tell me why there is such a
6 big lag, and expound a little more on the
7 streamline process that's going to make those
8 come out more regularly?

9 DIRECTOR MAYORKAS: So, I can't really
10 comment because I don't know why -- what really
11 underlied the fact that for quite a period of
12 time precedent decisions were not issued. It is
13 something, I think that provides helpful guidance
14 to our adjudicators and needed guidance to
15 practitioners who come before us.

16 And I heard that both internally from
17 adjudicators themselves and externally in the
18 context of my engagement with the community.
19 They spoke of the need for guideposts that not
20 only achieve consistency but predictability when
21 coming before the agency. And so I made it a
22 priority to issue AAO precedent decisions with --

1 with some regularity.

2 And with respect to the particular
3 mechanics of the more streamlined process, all I
4 can tell you is that the output will be more
5 frequent. And what the relationship entails with
6 greater specificity, we'll have to have somebody
7 get back to you.

8 MR. HUMPHREY: Any questions on the
9 phone, Operator?

10 MR. TAVARES: Yes, this is a fee base
11 agency.

12 DIRECTOR MAYORKAS: Primarily.

13 MR. TAVARES: It is time to change that?
14 Maybe to ask Congress for, you know, funding to -
15 -

16 DIRECTOR MAYORKAS: That was sort of a
17 dovetail to Steve's question earlier. I don't
18 think that those discussions right now are
19 uppermost in our minds. We're very mindful of
20 the budget environment.

21 I'm sorry. Is there a question on the
22 phone?

1 OPERATOR: Yes, thank you. Our next
2 question from Erica Pearson with Daily News, New
3 York.

4 MS. PEARSON: Hi, Director. I wanted to
5 go back to what you're saying about enforcing
6 fraud on individual applications and just get in
7 time frame. Have you spoke with local
8 prosecutors yet or where -- where are you on this
9 exactly?

10 DIRECTOR MAYORKAS: I think we're at the
11 formative stage. I think those discussions are
12 under way and ongoing.

13 MS. PEARSON: Okay.

14 MR. HUMPHREY: Take one more question.

15 OPERATOR: Our next question from Allie
16 Shah with Star Tribune.

17 MS. SHAH: Good morning, Director.

18 DIRECTOR MAYORKAS: Good morning.

19 MS. SHAH: You said that -- you mentioned
20 that there are areas in which the current USCIS
21 policies aren't consistently being applied. Can
22 you give us some examples of those policies that

1 have come to your attention?

2 DIRECTOR MAYORKAS: I don't have one that
3 comes immediately to mind. I've certainly
4 identified some, but there's not one that
5 particular comes to mind right now.

6 MS. SHAH: Are there any -- are there any
7 problems that have prompted this review?

8 DIRECTOR MAYORKAS: No, you know, it's --
9 it's just interesting that I did hear from the
10 community in the course of my travels about a
11 concern about consistency. And when I brought
12 that concern back to the agency, indeed, that was
13 something that resonated internally. And so
14 we're tackling the problem.

15 MS. SHAH: Thank you.

16 DIRECTOR MAYORKAS: Thank you.

17 MR. ZAMORA: Can I --

18 DIRECTOR MAYORKAS: Yes.

19 MR. ZAMORA: Maybe I have a couple
20 further question. I don't know about if it's
21 under your agency that program for the Haitians
22 that was agreed -- announced by Secretary

1 Napolitano after the earthquake and --

2 DIRECTOR MAYORKAS: The temporary
3 protected status --

4 MR. ZAMORA: Yeah.

5 DIRECTOR MAYORKAS: -- is a program that
6 we administer.

7 MR. ZAMORA: But what is -- do you have
8 figures of what was the --

9 DIRECTOR MAYORKAS: The number of people?

10 MR. ZAMORA: Yeah, and last year and what
11 is the current situation of the program?

12 DIRECTOR MAYORKAS: The --

13 MR. ZAMORA: How long it's going to last,
14 for instance.

15 DIRECTOR MAYORKAS: Sure. So, the -- we
16 received -- I believe we have granted just over
17 60,000 applications for TPS. Chris, is that
18 figure -- I believe that figure is correct --
19 just over 60,000. I believe the time frame
20 expires in a few months. And it was -- I believe
21 so.

22 And what we do in circumstances where TPS

1 has been granted, we, as a government do, is we
2 study the country conditions -- we, in
3 collaboration -- our agency in collaboration with
4 the Department of State studies the country
5 conditions and make an assessment whether the
6 country conditions are such that an extension of
7 the TPS program is warranted, where people here -
8 - Haitian nationals in this case are here in the
9 United States who have been granted a TPS
10 protection and can still not return to the
11 country by virtue of the conditions there. And
12 that review is ongoing now.

13 MR. ZAMORA: When do you expect to have a
14 result on that?

15 DIRECTOR MAYORKAS: It would be in -- in
16 timely fashion vis-a-vis the expiration of the
17 time.

18 Was the original -- Chris, was the
19 original -- is it July?

20 MR. HUMPHREY: July.

21 DIRECTOR MAYORKAS: I believe it's July
22 that the initial term expires. So we are in the

1 time frame now.

2 Is there another question on the phone?

3 OPERATOR: Yes, thank you, sir.

4 DIRECTOR MAYORKAS: Okay. I've got a few
5 minutes.

6 OPERATOR: Our next question, Julia
7 Preston, New York Times.

8 MS. PRESTON: Yes, thank you for taking
9 my call -- my question again.

10 I'm sure you're aware that Congress is
11 debating the possibility of mandating E-Verify
12 nationwide. What would be the impact on USCIS of
13 a mandatory E-Verify program in the near term?

14 DIRECTOR MAYORKAS: I think that it all
15 depends on what the legislation would provide in
16 terms of a time frame for a mandatory E-Verify --
17 you know, what -- whether we would be equipped to
18 meet a time table from a personnel and capacity
19 perspective. And it's important to note that E-
20 Verify -- it's ability to handle a caseload, if
21 you will, or actually a query load under a
22 mandatory system is not only a function of our

1 capacity but that of the Social Security
2 Administration's as well, given the fact that
3 it's database is the primary or the initial point
4 of contact on the queries.

5 I think we had a -- I'm sorry, Julia?

6 MS. PRESTON: Yeah, are you prepared at
7 this -- I mean, if Congress moved in this
8 direction in the next few months, would you be
9 ready?

10 DIRECTOR MAYORKAS: I think it depends on
11 what the legislation provides. If it would be an
12 instantaneous mandatory system, I think there
13 would -- that would raise questions, but if it
14 provided for a scaling process, I think that is a
15 different -- a different issue.

16 I think we had a question here, ma'am?

17 MS. JING: Yeah, I'm Jenny Jing with the
18 Epoch Times Newspaper.

19 And a while ago you mentioned that some
20 of the policies may need to be adjusted to
21 address more current concerns. So, could you
22 elaborate more on that?

1 DIRECTOR MAYORKAS: Sure. I think it's
2 just a basic principle. It's not anything that I
3 think should be very significant to note. And
4 that is that when policies have been enforced and
5 effect for a considerable period of time, I think
6 it is good governance to review those policies to
7 determine whether the situation -- whether they
8 still meet the situation at hand.

9 So, for example, in the national security
10 arena if a policy was generated before 911, then
11 certainly the world has changed since then and
12 our policies -- we should be reviewing our
13 policies to ensure that they meet whatever
14 changes have occurred.

15 So I find that to be a function or an
16 action of good governance.

17 I want to provide time, so if there's
18 another question on the phone, otherwise, we'll
19 wrap it up.

20 OPERATOR: I show no questions, sir.

21 DIRECTOR MAYORKAS: Thank you very much,
22 everyone, for joining us. Thank you. Thanks.

1 Good seeing all of you.

2 OPERATOR: Thank you. You may disconnect
3 at this time.

4 [Whereupon, at 11:01 a.m., the press
5 conference was concluded.]

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