

PATRICK J. LEAHY, VERMONT, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
JOSEPH R. BIDEN, JR., DELAWARE
HERB KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN
CHARLES E. SCHUMER, NEW YORK
RICHARD J. DURBIN, ILLINOIS
BENJAMIN L. CARDIN, MARYLAND
SHELDON WHITEHOUSE, RHODE ISLAND

ARLEN SPECTER, PENNSYLVANIA
ORRIN G. HATCH, UTAH
CHARLES E. GRASSLEY, IOWA
JON KYL, ARIZONA
JEFF SESSIONS, ALABAMA
LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
SAM BROWNBACK, KANSAS
TOM COBURN, OKLAHOMA

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
MICHAEL O'NEILL, *Republican Chief Counsel and Staff Director*

November 30, 2007

The Honorable Michael Chertoff
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Chertoff:

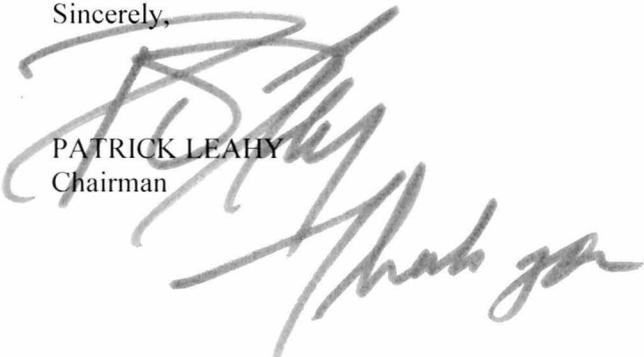
I am concerned about the severe backlog of naturalization applications at the U.S. Citizenship and Immigration Services (USCIS). Left unaddressed, this backlog will likely result in thousands of applicants being denied the right to vote in next year's elections. It is unacceptable that so many individuals, who have worked hard and followed the law, may be disenfranchised in the upcoming elections.

It has been reported that the agency received 1.4 million applications between October 2006 and September 2007, precipitated in part by USCIS' recent fee increase. It has also been reported that it is taking USCIS five months or more merely to acknowledge receipt of an application, and that legal, permanent residents who filed naturalization applications after June 1, 2007, are likely to have to wait 16 to 18 months for their applications to be considered. This is unacceptable. It is difficult to understand how DHS and USCIS failed to anticipate and plan for the applications. It is especially troubling after officials at USCIS assured Members of Congress that your recent fee increase was supposed to improve efficiency and customer service. Like Hurricane Katrina and the implementation of the Western Hemisphere Travel Initiative's (WHTI) air rule, it appears that officials at the Department of Homeland Security have once again been caught off guard and unprepared for foreseeable consequences, this time due to your fee increase.

I was also troubled to read that USCIS Director Emilio Gonzalez, who expressed a desire to resolve the backlog ahead of the national elections, has been publicly contradicted by officials at your agency. I hope that you share Director Gonzalez's concern and mine. There should be an urgency to resolve the backlog now. I urge DHS to commit all resources necessary to resolve this situation, as the State Department did this summer to address the passport backlog brought about by the WHTI.

Please inform me of the plans you have for resolving this backlog and provide a monthly update so that we can measure your progress in reducing the backlog. I would like to know the number of pending naturalization applications and the number that have been pending for more than six months.

Sincerely,


PATRICK LEAHY
Chairman